

SENATE—Friday, April 26, 1968

The Senate met at 11 o'clock a.m., and was called to order by Hon. ALBERT GORE, a Senator from the State of Tennessee.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, Thou art the help and hope of our warring world—Thy mercy endureth forever in spite of all human denials and betrayals.

Make plain to our understanding that our economic adjustments in themselves cannot bring social salvation, except as they clear the way for the spiritual undergirding without which we labor in vain.

With Thy benediction may we face the toil of these days with honest dealing and clear thinking, with hatred of all deceit, and sham, and in the knowledge that all great and noble service in this world is based on gentleness and patience and self-giving.

In the spirit of the Master we ask it. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., April 26, 1968.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ALBERT GORE, a Senator from the State of Tennessee, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. GORE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, April 25, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 16703) to authorize certain construction at military installations, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 16703) to authorize certain construction at military installations, and for other purposes, was read twice by its title and referred to the Committee on Armed Services.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in

relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

DEPARTMENT OF THE INTERIOR

The assistant legislative clerk read the nomination of Edward Weinberg, of Maryland, to be Solicitor of the Department of the Interior.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

NORA AUSTIN HENDRICKSON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1068, H.R. 2434.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 2434) for the relief of Nora Austin Hendrickson.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, was read the third time, and passed.

A PROPHET ON VIETNAM

Mr. MANSFIELD. Mr. President, in the April 21 issue of the *Tennessean* appeared an excellent article by Ed Willingham entitled "Gore a Prophet on Vietnam." I have read this article with great interest, and I subscribe to what it says. It indicates that the distinguished senior Senator from Tennessee [Mr. Gore] has been a prophet not without standing for a long time; and while he has tried to restrain his feelings on occasion, he has been most forthright and most clairvoyant, may I say, in stating how, in his opinion, the situation in Vietnam would develop.

I urge all Members of the Senate to

give this article the attention it deserves. It is a serious matter.

Mr. President, I ask unanimous consent that this excellent article by Mr. Willingham be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

GORE A PROPHET ON VIETNAM

(By Ed Willingham)

WASHINGTON.—To critics of the Vietnam war and to others, Sen. Albert Gore looks like a sage who early predicted what the war could mean to the nation.

In a speech in May 1965, when the nation had less than 50,000 troops in Vietnam, bombing of North Vietnam was only three months old, and U.S. combat troops were waging their first battles, Gore said either of the two consequences might flow from the war, "neither of which would be favorable to our country."

"First, we run the risk of becoming bogged down in an endless war on the land mass of Asia, leaving the Soviets free to work their machinations in (Latin America, Africa, and the Mediterranean)," he said. "We are bogged down in a commitment to a major war, the tragedy and consequence of which no one can foresee."

He said the war could close the breach between Russia and Red China.

In a speech Thursday, Gore, a member of the Senate Foreign Relations Committee, said the ideological differences between the two are so great that "even an attack on a fellow Communist country has not been able to heal the breach—at least not yet, although I must say we seem to be working hard at it."

FIRST OPPOSITION

Tennessee's senior senator made his first public statements in opposition to the war in late 1964, but opposed U.S. actions in private committee sessions even before.

In October 1963, at an appearance before the committee by Secretary of Defense Robert McNamara, he said:

"I have questioned the enormous importance which the military attaches to South Vietnam . . . Why must we suffer such great losses in money and lives (of U.S. advisers) for an area which to me seems unessential to our welfare and to freedom, there being none there?"

He said he had hoped the government would use the suppression of the Buddhists as an excuse to "pull out of there."

In the May 1965 speech, he also said he counseled against a U.S. assumption of the burden in South Vietnam in 1954 after the fall of Dienbienphu.

"I did not then believe that we should intervene in South Vietnam; I do not now believe that we should have done so," he said.

"Members of the Committee on Foreign Relations know that in executive sessions of that committee, for four years, I have expressed grave concern, doubt, and reservation about the wisdom, advisability, and effectiveness of the policy being pursued in South Vietnam."

In a July 1965 speech, he said:

"The policy pursued in Vietnam since 1954 has been a succession of mistakes, each of which has compounded the adverse consequences of its predecessors."

DEFIES ANALYSIS

"We now find ourselves involved in a war that defies analysis in traditional military terms; in a war that makes little sense as it is being waged; in a war that we have scant hope of winning except at a cost which far outweighs the fruits of victory; in a

war fought on a battle field suitable to the enemy, under conditions that no military man in his right mind would choose; in a war which threatens to escalate into a major power confrontation and which could escalate into nuclear holocaust."

In February 1966 Gore delivered a major speech on Vietnam and this produced a good debate between him and Sen. Gale McGee, D-Wyo.

McGee argued that the nations of Southeast Asia would accommodate themselves to China unless this country balanced China's power in that area of the world. He warned that China could take the role of Japan of World War II, and would be strengthened by the resources of Southeast Asia.

Gore, on the other hand, said Bernard Baruch, an adviser to several Presidents, had once advised: "Keep your eye on Western Europe, because here, with her industrialization, with her traditions, her political influence and structure, lies the balance of power between the Communists and the free world."

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business?

Mr. STENNIS. Mr. President, I ask unanimous consent that I may proceed for 6 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE PROPOSED MARCH ON WASHINGTON

Mr. STENNIS. Mr. President, the press over the weekend reported that the so-called poor peoples' march on Washington has been rescheduled for the first part of May. The press further stated that an advance guard composed of a small number of march leaders will come to Washington within the next few days and make arrangements for the large demonstration which will follow shortly thereafter.

The tragic events that have occurred in Washington and in large cities throughout the Nation both before and after the unfortunate death of Rev. Martin Luther King are clear evidence that no large demonstration should be allowed in the city of Washington.

The situation here is such that only a small spark could set off another wave of violence and destruction that would cost perhaps hundreds of millions of dollars in property damage and, moreover, could cause many deaths and injury to scores of people.

In order to avoid this possibility, I renew my urgent request that Washington officials take immediate steps to prevent a massive march and demonstration, and instead allow a small number of the petitioners to enter the city, and speak, and otherwise present their petition in an orderly manner, thus symbolically representing all the other would-be participants.

The idea that in order for some to have the right to protest, others must have the right to loot, burn, and destroy is ridiculous. It is self-destruction for the Nation.

In the recent riots here in Washington it was necessary to call in more than 12,000 military personnel. Thousands of others were on standby and on an alert status to support them. The cost was in

many millions of dollars, at a time when we are trying to make ends meet in the national budget and to provide some relief in the way of domestic programs that would help the poverty stricken. To allow a situation to develop that would require the expenditure of additional millions merely to keep peace is not only unwise but also an act of pure foolishness.

The cost of the recent riot here will total multimillions of dollars.

Police and fire protection was well over \$5 million. The cost of Federal troops was in the millions. I am unable to get an estimate of that cost.

Loss of tax revenue in the city was nearly \$3 million. Loss of property may go as high as \$40 million or more.

Some hotels have stated that their convention and tourist trade has dropped by one-third. There are widespread reports that people throughout the Nation are reluctant to come to their Capital City to attend conventions. Some high schools have canceled long planned trips to visit the Nation's Capital. Others have written their Senators and Representatives, inquiring whether or not it is safe to come to Washington.

We are sending military aid, economic aid, counsel, and advice all over the world, and do not have a policy or practice that can maintain order within two blocks of the White House.

A government that cannot or does not control crime in its streets cannot long have the respect of other nations to the degree that its money is accepted as sound in the trade and financial channels of the world.

The right to petition and to protest in this case can be preserved and at the same time disorder can be averted by a symbolic march and an orderly protest by a very few.

This matter of "rights" is a two-way street. There is a right of reasonable protest which has always been recognized. Other citizens also have rights, particularly to be secure in their persons and in their property.

Further, as a taxpayer who pays taxes in the District of Columbia I object to the unnecessary expenditure of funds merely to allow a massive protest that could be better made on a very small scale.

If this march takes place, I urge the public officials of this city, or such Federal officials as may be in charge—the Attorney General or other representatives of the President—to take a firm and unmovable position that any violator of the law will be punished in accordance with the crime committed. Further, it should be made clear at the outset that such force will be used against violators as is necessary to stop looting, arson, property damage, and personal injury to innocent victims. There is nothing new about that principle. It is as old as the common law of England.

The real question is whether the Government is going to provide deserved protection to the person and to the property owner who has a right to expect and demand protection. It is a question of whether the innocent American citizen will have the protection of this Government, so that he can exercise his constitutional right to own property and to be

free from bodily harm on his own premises and in the public streets where he has a right to be. It is a question of whether we will have rule by hoodlums, bandits, and law violators, or whether we will have law and order.

Frankly, I think that if a large-scale march and the massing of thousands of people here in Washington is tolerated by the Federal Government, there is more than an even chance that it will set up further riots, looting, and burnings within the Capital City. With these flashed on the television screen, the suggestion is given to others in other cities and areas to follow the examples set here in the Capital City. We already have sufficient laws to meet the situation. The enforcement of these laws is an executive function.

Mr. President, I do not like to overstate the bad facts, but we Senators know, or at least some of us know, that our staffs here in this Capital City are afraid to be on the streets in some places even in the daytime, and virtually all places at night.

I raise this added question: Should these occurrences spread to the countryside, to villages, small towns and small cities, where will the protection come from for the people of those areas? They have no large police force, no large force of firemen to protect them. There will not even be enough soldiers available nor the means to get them there to protect these areas. The question answers itself. They will not have adequate protection.

Further, in riots, as in all other law violations, blame for wrongdoing must be placed on the wrongdoers. The wrongdoer must be punished and if he is caught in the act he must be stopped and arrested. The police should be given the authority necessary to prevent and stop riots, looting and arson. Those individuals who are arrested should be tried and, if convicted, given sentences appropriate to the very grave seriousness of the crime.

I am interested in and concerned about the problems of our times. More training for our youth is necessary. Jobs and opportunities will have to be created from time to time. Any sound program to meet conditions must include a plan of training, and the creation of jobs, but in my view it must also include the requirement of a day's work for a day's pay. I shall support a plan for more training, and more jobs where needed and for the deserving who will work.

What ever courses may be followed in meeting these problems, we will finally have to make a firm condition to maintain law and order at all events. This requirement must apply to all people. Then, we must enforce that firm decision with whatever force may be necessary. No more. No less.

The great majority of the people of our Nation know that these steps are necessary, and therefore want them taken. They are watching their public officials and will, in time, demand the necessary action to get the end result.

I believe that the candidate for President of the United States who takes a firm and definite stand on this question, and promises the American people that he will be firm in these demands, and is sincere and convincing so as to persuade the people that he will actually carry out

this promise, will be the next President of the United States.

Many millions of people are deeply concerned and want action. They say little now, but are thinking and listening. They will speak at the polls in November.

I want to again give a word of advice and counsel to the colored people and to any others who may be inclined to come to Washington from Mississippi. That word of advice is to stay out of this march. Nothing good for them or for anyone else can come from it. They run the risk that harm can come to any individual or any group. I mean by that the possibility of personal injury and violence in the course of any demonstrations that may get out of hand.

Mr. President, I ask unanimous consent to have printed in the RECORD a brief statement I made in connection with this matter on the floor of the Senate on March 29, 1968, which was printed at page 8266 of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. STENNIS. Mr. President, are we still in the morning hour?

The PRESIDING OFFICER. Yes. There is a 15-minute period for the transaction of morning business.

Mr. STENNIS. I thank the Chair.

Mr. President, the riot in Memphis which has developed out of the announced nonviolent protest march presents a very strong and valuable lesson that the city of Washington would do well to study. The morning press reports that because of these riots, city government authorities here are reassessing plans for the proposed poor people's march on Washington, now scheduled for April 22.

What happened in Memphis clearly shows that the best policy for Washington officials to follow is to stop the marchers at the city limits, allowing a small number of them and their leader, who presumably will be Dr. Martin Luther King, who also led the Memphis march, to come in and speak and otherwise present their case in an orderly manner and, thus, symbolically represent all the other would-be participants.

The idea that in order that some may have the right to protest, others must have the right to loot, burn, and destroy, is, of course, ridiculous. Furthermore, it is self-destructing for the Nation, unless it is stopped.

This is another case in which the Government must have the will to act. The government authorities responsible for keeping peace and order must act firmly and promptly.

It is a tragic situation when practically all of the National Guard of a State must be called out, or at least alerted, in order to protect the businesses and the lives of shop-owners, simply to allow unlimited numbers to march and protest, while, nevertheless, violence and loss of life do occur.

There are rights on both sides of this question. While those who protest have a right to do so in an orderly and peaceful manner, other citizens also have rights, particularly to be secure in their persons and in their property.

Mr. President, until we assess the situation further and place the blame on those who are in the wrong rather than categorically blame the police, we are not going to face up to any kind of remedy to meet the situation.

I want to refer to the prospective cost and waste which will go with the huge, planned march on Washington.

Last October, during the march on the Pentagon, Senators may recall, it cost the Government more than \$1 million—I repeat, \$1 million in additional outlays.

I want to give a word of advice and counsel

to the colored people and to any others who may be inclined to come to Washington from Mississippi. It is to stay out of this march. Nothing good for them or for anyone else can come from it. They run the risk that harm can come to any individual or any group. I mean by that the possibility of personal injury and violence in the course of any demonstrations that may get out of hand.

TRIBUTE TO ARTHUR GOLDBERG

Mr. MORSE. Mr. President, the resignation of Ambassador Arthur Goldberg as American Ambassador to the United Nations represents a great loss of dedicated public service to the American people and to the Nation. I hope it will be a retirement from public service on the part of Ambassador Goldberg for but a very, very short period of time, for I hope that the leaders of our Government, at the White House, and any other place where the drafting of further service can come from, will cause his early return in some other capacity to public service.

I have known Arthur Goldberg for many, many years. I have worked closely with him in various capacities. I use the word "statesmanship" in its true meaning. Arthur Goldberg unquestionably will go down in American history as one of the outstanding statesmen of this period. He is a juridical statesman.

In my opinion, when he honored the Supreme Court by his presence, he was on his way toward making one of the outstanding juridical records of the Court. Had he remained there, I think that at the end of that juridical service he would have gone down in history with a record comparable to that of a Marshall, a Brandeis, a Holmes, a Frankfurter, and a Warren.

In the field of constitutional law, I considered him the equal to one of the greatest constitutional law authorities in the history of our country who has been writing decisions in recent times, Justice William O. Douglas.

Arthur Goldberg is also a great diplomatic statesman, as he has demonstrated over and over again in the magnificent service he has rendered as our Ambassador to the United Nations. The record he made early in his service in the United Nations in connection with the Indian-Pakistan crisis, the position he has taken in regard to the various issues that have arisen between the United States and the Soviet Union, his brilliant record of impartiality and farsightedness in the handling of the position of the United States in the United Nations in respect to the Middle East crisis, the position he has taken in regard to our Asiatic crisis, write an indelible record in the diplomatic history of this Nation in the United Nations.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MORSE. Mr. President, that record alone would stand in history as a great monument to his statesmanship. However, he has also been a great political statesman, too, for I know whereof I

speak when I speak of the services he has rendered Presidents of the United States. He was a close counselor of President Truman. I know something about some of the relationships that existed between Arthur Goldberg and President Truman. I also know that in the field of labor relations, because I worked closely with him during the war years of World War II. We all know the great service Arthur Goldberg rendered American labor, as general counsel of the Steelworkers of America.

We know of his brilliant service as Secretary of Labor. Because many of these services were so closely related to political statesmanship, because of political problems and issues that were involved in relation to the services he rendered the President, that I wish to include at this point that Arthur Goldberg is also a great political statesman.

Mr. President, the closing point about this man's great record that I wish to stress is that he has been, as a lawyer and a judge, one of the leading men in our country in the support he has given to the great ideal of the rule of law in international relations, which he has always defended.

Time and again, our Ambassador to the United Nations, Arthur Goldberg, has sought to call the attention not only of our country but also of the world to the fact that there is no hope of working out arrangements for permanent peace unless the nations of the world lay down their arms and proceed to substitute the rule of international law for the use of military might.

I think that one of the most recent contributions in support of that ideal was his appearance in public hearings before the Committee on Foreign Relations to testify in support of the Mansfield resolution, which proposed that it was the sense of the Senate the President of the United States should submit to the Security Council a resolution whereby the Security Council would be called upon to take over jurisdiction of the threat to the peace of the world in Southeast Asia. He testified in support of that resolution even though our country was one of the chief belligerents in that war.

I shall never forget Arthur Goldberg's testimony that morning. As the Senate knows, I had submitted a companion resolution which spelled out the specifics as to what I thought our country must do if it is to comply with its obligations under international law. However, I made clear that I would support the Mansfield resolution as the first step, hoping that it would suffice and that our President would submit to the Security Council a resolution that would carry out our international law obligations.

I hope that he still will. I regret that he has not done so to date. I would, when he made his recent historic speech of March 31, that he had included in it not only a call for the reconvening of the Geneva conference, which he did, but I would that he also had decided to submit the kind of resolution which was clearly implied in the Mansfield resolution and that the whole issue would now be pending before the Security Council of the United Nations. Such a resolution,

of course, must call for a cease-fire, and must call for a clear commitment on our part that we will abide by the jurisdiction of the Security Council, and if vetoed, then by the General Assembly. We have never made that commitment. Let me say once more, that until we do, the United States stands outside the pale of international law vis a vis in the war in South Vietnam.

Arthur Goldberg appeared before us and testified as the only witness for the administration in support of the Mansfield resolution. The record will show that at the beginning of his testimony he said that he came to testify in support of the Mansfield resolution but without prejudice to the Morse resolution, and further stated he took that position because I had announced that I would go along with the Mansfield resolution as the first step, although I preferred the specifics of my own resolution.

Mr. President, this morning, I suggest that the testimony of Arthur Goldberg before the Committee on Foreign Relations will also go down in history as coming from a man who backed up his preachments in regard to a great international policy.

Thus, I want to say that in these remarks that I speak from the depths of my heart in honoring a great statesman, a juridical statesman, a diplomatic statesman, and a political statesman.

I close by saying that I also speak my high praise for George Ball, who served brilliantly as Under Secretary of State, and who has been appointed by the President to fill the position Arthur Goldberg will leave as our Ambassador to the United Nations, just as soon as his resignation becomes effective, which I understand will be somewhere around June 1.

George Ball is a brilliant and able public servant, one who, I believe—as I have listened to him as a witness and observed his public service—and will not be at variance with Arthur Goldberg with respect to the desirability, at long last, of this country's doing something which it has not done yet; namely, instead of using military might, to propose substituting the rules of international law and the procedures of peacekeeping available to us, as we will be doing, in committing ourselves for the first time to abide by the jurisdiction of all peacekeeping procedures.

MARCH OF THE POOR ON WASHINGTON

Mr. HART. Mr. President, I happened to be in the Chamber a few minutes ago when the Senator from Mississippi [Mr. STENNIS] addressed himself to the subject of the poor people's march on Washington.

While I have no prepared remarks, I do have a very brief reaction which I think should be placed in the RECORD to achieve some balance.

Mr. President, I remember, about 5 years ago, in 1963, when another peoples march was proposed. That was to be a march in support of a petition for civil rights legislation, which we now know as the civil rights law of 1964.

There were voices raised of great

alarm and protest against that march. Indeed, I remember some advising the President of the United States, then John F. Kennedy, that he not be in the White House, that he, in a sense, take a vacation.

I recall his response. It was "The people have a right to petition. Let them come."

I think, on balance, this is a much healthier attitude for a society like ours to take. If I have a grievance and am white and rich, I am welcome. If someone is poor and black—or just poor—and has a grievance, let him be welcome, too.

All of us are sensitive to violence, whatever the occasion, but today let us review in our own minds whether our traditions do not suggest that if there are Americans in this land who feel a grievance, if there is something which they believe the Federal Government can do which it is not doing, and in their judgment they think they can advance the cause of justice by coming here and presenting to us their petition, let them be welcome.

There are many things the Federal Government should be doing which it is not. We did not have to wait for the Kerner Commission Report to advise us of what the Federal Government should be, but is not doing.

We were told just this week that there are millions of Americans in this affluent land of ours who can be described as "starving" in the sense they are not able to get even one nutritional meal a day, and it is that way for them every day of the year. It should not take an army to descend on us to persuade us that we should do more about that.

I would say, recognizing the sensitivity, acknowledging the possibility that disagreements may bring a clash and strife, that we are better off to say to every American, whatever side of the railroad tracks he comes from, whatever his educational background is, "If you feel that you want to advise the Congress that by acting it can make conditions more equitable and fair; that by acting it can improve the quality of American life, come; be welcome."

The chance of violence is a lot less if that is our attitude in advance. It should be our attitude in any case. I do not choose to counsel one with a petition, whoever he may be, not to come to the capital of his country. I hope any who come, on any occasion, will be respected and, in turn, will respect the rights of others.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

FOOD AND AGRICULTURE ACT OF 1968

A letter from the Secretary, Department of Agriculture, transmitting a draft of proposed legislation to provide continuing legislation for maintaining farm income, stabilizing prices and assuring adequate supplies of agricultural commodities (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORT ON REAPPORTIONMENT OF AN APPROPRIATION

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law that the appropriation for the Department of Justice for "Support of U.S. prisoners," for the fiscal year 1968 had been apportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

SPECIAL REPORT OF THE NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL POLICIES

A letter from the Chairman, National Advisory Council on International Monetary and Financial Policies, transmitting, pursuant to law, its special report on the proposed replenishment of resources of the International Development Association, dated April 1968 (with an accompanying report); to the Committee on Foreign Relations.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a confidential report on the problems in developing the Pershing missile system indicating a need for better communication among Army officials, Department of the Army (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, reporting on the improvements in management controls over office copying machines, Department of Agriculture, dated April 25, 1968 (with an accompanying report); to the Committee on Government Operations.

PROPOSED LEGISLATION AUTHORIZING POSTMASTER GENERAL TO ENTER INTO CERTAIN SERVICE CONTRACTS

A letter from the Postmaster General of the United States, transmitting a draft of proposed legislation to authorize the Postmaster General to enter into certain service contracts for periods not exceeding 4 years, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

ENROLLED BILLS SIGNED

The ACTING PRESIDENT pro tempore announced that on today, April 26, 1968, the Vice President signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 10. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Ocean Delight*, owned by Saul Zwecker, of Port Clyde, Maine, to be documented as a vessel of the United States with coastwise privileges;

S. 1093. An act to authorize the use of the vessel *Annie B.* in the coastwise trade;

S. 3135. An act to amend the Communications Act of 1934 by extending the authorization of appropriations for the Corporation for Public Broadcasting;

H.R. 15344. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury; and

H.R. 15398. An act to amend the National School Lunch Act to strengthen and expand

food service programs for children, and for other purposes.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. HART (for himself, Mr. BROOKE, Mr. CASE, Mr. KENNEDY of Massachusetts, Mr. MONDALE, and Mr. YARBOROUGH):

S. 3394. A bill to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the Armed Forces under such act; to the Committee on Armed Services.

(See the remarks of Mr. HART when he introduced the above bill, which appears under a separate heading.)

By Mr. PROXMIRE:

S. 3395. A bill to further promote the organization and operation of Federal credit unions and consumer counseling programs among the poor, by providing for improved means of furnishing technical assistance through experimental, developmental, demonstration and pilot projects and through training programs carried out in conjunction with other Federal departments and agencies, State and local governments, private nonprofit organizations, and other organizations; to the Committee on Banking and Currency.

(See the remarks of Mr. PROXMIRE when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE:

S. 3396. A bill for the relief of Lillian Biazio; to the Committee on the Judiciary.

S. 3394—INTRODUCTION OF DRAFT REFORM BILL

Mr. HART. Mr. President, I introduce a bill to amend the Military Selective Service Act of 1967 and ask that it be received and appropriately referred.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3394) to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the Armed Forces under such act, introduced by Mr. HART (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. HART. Mr. President, my bill attempts to put more equity and certainty into the draft process. It attempts to fairly distribute today's burden of "who shall serve when not all serve" among all potential draftees and at the same time give the Armed Forces a younger, stronger, more easily trainable army.

Specifically, the bill I have just introduced for myself and Mr. BROOKE, Mr. CASE, Mr. KENNEDY of Massachusetts, Mr. MONDALE, and Mr. YARBOROUGH changes existing draft law in four major ways:

First. It reverses the existing order of call so that selection and induction will be made primarily from 19-year-olds. Presently, draft-eligible young men between 19 and 25 are called in the order of oldest first.

Second. It creates a "prime selection" group from which most, if not all, draftees would come. This prime selection group would consist of three classes of draft registrants: Qualified registrants

who have attained the age of 19 but not yet attained the age of 20; qualified registrants who have been previously deferred and whose deferments cease; and qualified registrants between the ages of 20 and 26 who are not now deferred and have not yet been called.

Third. It states that no draft registrant shall remain a member of the prime selection group for more than 1 year.

Fourth. It removes from current law a provision prohibiting the administration from setting up a draft lottery.

Mr. President, the need for draft law reform is becoming increasingly apparent. Just this past Tuesday, according to the New York Times, Selective Service Director Lewis Hershey warned that draft calls for fiscal year 1969, which begins July 1, could exceed the previously announced total of 240,000 men by as much as 100,000.

Under the Military Selective Service Act of 1967 and recent Selective Service rulings, these 340,000 draftees in fiscal year 1969 will be called on the basis of oldest men first. Nobody seems too happy with this prospect.

Coupled with this past February 16 Selective Service ruling ending graduate school deferments, the effect of the present law's oldest-men-first draft policy will be to cut next fall's graduate school enrollment anywhere from 20 to 60 percent. Next fall's graduate school population could, thus, end up consisting of the halt and the lame, women, foreign students, and a few veterans.

At the same time, the Defense Department is unhappy with a continuation of the oldest-men-first draft policy in fiscal year 1969. For example, according to General Wheeler—

I've had a lot of experience in training young men and I find that the young ones are eager, they are sturdy, they learn quickly. Sometimes the older men, who have taken on responsibilities of a family or have other drawdowns on their means, are not as eager, not as willing, to undertake military service as the younger men.

Under my bill, the order of induction is reversed so that the youngest qualified registrants, the 19-year-olds, are drafted first. Such a reversal of the order of call has been advocated by a 1966 Department of Defense study, the National Advisory Commission on Selective Service, the Clark report, the President's 1967 draft message, and the Senate and House Armed Services Committee's reports on the 1967 draft law.

In 1967, when it passed the Military Selective Service Act of 1967, Congress was concerned about student deferments leading to permanent exemptions from military service. Under my bill, a prime selection group from which draftees shall be chosen is designated. This prime selection group shall consist mainly of those registrants who are 19 years old. To prevent student and other deferments from leading to exemptions from military service, my bill also places in this prime selection group those registrants who have been previously deferred and whose deferments cease.

In addition, my bill states that no registrant shall be a member of the prime selection group for more than 1 year.

Thus, the nondeferred 19-year-old, the college senior whose student deferment is ending, and the 23-year-old defense plant worker who leaves his occupationally deferred job will all receive the same amount of exposure to the draft.

Under my bill, qualified registrants will face 1 year of maximum vulnerability—1 year membership in prime selection group—to the draft. Generally, for most registrants, this year of maximum vulnerability will come at age 19. Thus, the uncertainty presently generated in the personal lives of draftable men who now live under the gun of the draft for 2, 3, and 4 years would be greatly reduced.

In passing the 1967 draft law, Congress inserted a provision barring the administration from setting up a draft lottery; my bill deletes this provision.

The President's Advisory Commission on Selective Service found that each year some 2 million men reach draft age. Of that 2 million, between 100,000 and 350,000 have to be drafted annually to meet the manpower needs of our Armed Forces. The problem boils down to: How shall those draftees be selected?

The President's Commission on Selective Service, the President himself, and Senator EDWARD KENNEDY have all made a forceful case for adoption of a random selection system of choosing draftees—citing a lottery as an equitable response to today's problem of drafting one man out of five or six available draft registrants.

Although I personally feel a random selection plan has much merit, in my bill I have merely deleted the 1967 draft law's provision prohibiting the administration from setting up a lottery. My bill thus coincides with the Senate-passed draft bill of 1967 which contained no provision prohibiting a lottery. Under my bill, discretionary authority is left with the administration to institute a lottery or any other method of selection it finds best suits our manpower needs. Thus, under my bill, if the administration finds a lottery is administratively unworkable or not suited to our manpower needs during the Vietnam conflict, it has the flexibility to institute an alternative method of selection.

Last spring, Congress chose to enact a basically inequitable draft law, a law which 23 of us here in the Senate voted against.

There are a great many equities to be balanced in the draft system, and this bill is a new effort to make the Selective Service System a more dependable juggler.

First of all, younger men make better soldiers for many reasons. They are more adaptable and less settled in careers. So it simply makes good sense to draw the bulk of our Army from their ranks.

On one hand, we should be reluctant to interrupt schooling and on the other hand we should not allow men to escape service simply because they are rich enough to go to college.

On one hand we want to keep the system flexible while on the other hand we have a real obligation to allow every young man some point in his life where he can begin a career in reasonable certainty that it won't be interrupted.

On February 28, I joined with Senator

EDWARD KENNEDY, a leading expert on the draft law, in sponsoring an extensive draft law reform bill.

My proposal is a more modest one that can, perhaps, be pushed more rapidly to meet some of these pressing problems.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement on the bill prepared by the Senator from Massachusetts [Mr. KENNEDY].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR EDWARD M. KENNEDY OF MASSACHUSETTS

I have co-sponsored this bill to amend the Military Selective Service Act of 1967 in the hope that some progress can be made this year toward effectuating change in our anachronistic and unfair procedure for selecting our nation's young men for military service.

One year ago Congress had before it a unique opportunity to act on draft reform. At that time the Senate passed a bill which would have given wide discretionary authority to the President to institute the reforms recommended by the President's National Advisory Council on Selective Service. The Senate approved bill was an enlightened effort reflecting the hard work of the entire membership of the Committee on Armed Services and its Chairman. It provided the framework for an equitable law. It gave the President maximum flexibility to institute the very changes he had requested from the congress: a fair and random system of selecting persons for military induction, the drafting of the youngest first, and greater uniformity of deferment policies and standards.

The House Armed Services Committee, nevertheless, supported by its own separate study of the draft laws, greatly changed the Senate bill, adopting many punitive and restrictive provisions not in the Senate bill. The House adopted its committee bill with little change. Virtually all of these House provisions were adopted subsequently in the Senate-House Conference, and this conference bill was found acceptable to the Senate to be signed into law.

Where only two Senators had opposed the original Senate version of the draft bill, the restrictive House-dominated version was opposed by 23 Senators. This bill, and later law, ignored the recommendations of the Marshall Commission, two Senate Committees and the President, himself. It ignored the readily apparent facts of how the present system harbors inequities in selection. It failed to come to grips with inadequacies of a system that arbitrarily discriminates in selection by race, educational and economic background as well as residence. It represented a step backwards at a crucial time when the people of this country expected Congress to meet its responsibilities by a step forward.

Where do we find ourselves today? Draft calls have not significantly subsided. General Hershey gives us every indication that the fiscal 1969 levels will be maintained at the near-350,000 mark. Severe fighting and increased Vietnam casualties only serve to sharpen the focus on the inequities of the existing system. A certain disquietude continues to spread among our young people throughout the country. And the early cessation of fighting does not seem imminent.

The termination of graduate school deferments has only exacerbated tensions further. The Defense Department has been emphatic in its opposition to the "oldest first" policy as undesirable from any standpoint. Men are harder to train; dependency and occupational deferments become vastly expanded; and uncertainty for all concerned is further compounded.

Our graduate school programs have been

thrown into a state of confusion by the recent ruling. According to a survey made by the Council of Graduate Schools, enrollment drops will run as high as 75% among males in the first graduate year. Specific disciplines that are heavily male oriented will lose almost two thirds of their entering class. It is expected that the majority of the nearly 200,000 male graduate students by ensuing draft calls. Moreover, universities and colleges which have contracted faculty, undertaken expansion, or adopted new programs are faced with an immediate as well as long range planning crisis.

The entire draft predicament reflects utter folly. What is even more absurd, is that we recognize this situation and do nothing about it.

I have been long interested in reform of the draft, seeking to make it a fair, just and predictable system. I chaired seven days of hearings on the manpower implications of selective service. I testified before both the Senate and House Armed Services Committees. And I participated in the floor debates when the 1967 bill was before the Senate. For the past two years I have sought to awaken the congressional conscience to the situation we face under the existing law.

Nearly two months ago I introduced a bill, S. 3052, aimed at comprehensively restructuring the Selective Service System. This 18 point bill was directed toward replacing uncertainty, unfairness, discrimination under a patchwork law with certitude, equity, predictability and uniformity. I called for a fair and random system of selecting persons for induction into military service, for the equal application of deferment policies, for the investigation of the feasibility of establishing a volunteer army, and for other much needed reforms.

I have been extremely gratified by the favorable response I have received on this proposal from business, political, academic, religious, and student groups. It is their feeling, and I concur, that the enactment of this legislation would rectify the inequities and injustices existent in our draft system.

For the past two months I have been exploring the possibility of holding hearings on this bill. I have approached numerous colleagues suggesting that we reopen the draft issue. These efforts have not produced the results which I and the vast majority of the American people would like to see—much needed draft reform.

Therefore, Mr. Chairman, I think we must begin anew to raise the draft question. In sponsoring Senator Hart's draft bill, a modified version of my own proposal, I am once again voicing my opinion and concern that we must act on this issue. It is my sincere hope that the Senate will decide to review this proposal, returning to the language and intent of the Senate passed 1967 draft bill.

S. 3395—INTRODUCTION OF BILL TO HELP LIMITED-INCOME CONSUMERS

Mr. PROXMIRE. Mr. President, I am today introducing a bill authorizing a Federal program to help the poor, through credit unions and consumer counseling, to break out of the vicious circle of poverty. I described the bill and the conditions which make it necessary in a floor speech yesterday. Basically, the bill would permit an imaginative program administered by the Bureau of Federal Credit Unions known as Project Moneywise to continue on an expanded basis. The full text of the bill was printed in the RECORD for yesterday, April 25, as a part of my remarks on this vitally necessary legislation.

The ACTING PRESIDENT pro tem-

pore. The bill will be received and appropriately referred.

The bill (S. 3395) to further promote the organization and operation of Federal credit unions and consumer counseling programs among the poor, by providing for improved means of furnishing technical assistance through experimental, developmental, demonstration and pilot projects and through training programs carried out in conjunction with other Federal departments and agencies, State and local governments, private nonprofit organizations, and other organizations introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Banking and Currency.

CONCURRENT RESOLUTION OCEAN EXPLORATION

Mr. MAGNUSON. Mr. President, I submit today, for appropriate reference, a Senate concurrent resolution that has great potential significance to the United States and particularly to our coastal areas.

The concurrent resolution endorses and supports an International Decade of Ocean Exploration, proposed by the President in his message to the Congress on March 8, and reiterated in the report on marine science affairs to the Congress several days later.

The message and report recommended that the peaceful promise of the ocean's depths be explored for their potential wealth in food, minerals, and other resources.

In his message, the President stated that he had instructed the Secretary of State to consult with other nations on the steps that could be taken to launch an unprecedented International Decade of Ocean Exploration.

The concurrent resolution I am submitting today spells out in somewhat more detail activities that this international program should include which directly affect the United States and would inure to our benefit. I quote:

1. An expanded national program of exploration in waters close to the shores of the United States.
2. Intensified exploration activities in waters more distant from the United States.
3. Accelerated development of the capabilities of the United States to explore the oceans and particularly the training and education of needed scientists, engineers, and technicians.

The resolution states that improved understanding of ocean processes would enhance the protection of life and property against severe storms and other hazards, further the safety of maritime commerce, benefit the Nation's fishing and mineral extracting industries, and would contribute to the advancement of a broad range of scientific techniques.

This is a position that the Committee on Commerce has consistently taken in all its oceanography bills, commencing with Senate Resolution 136 of the 86th Congress, first session, and culminating with the Marine Resources and Engineering Development Act of 1966. That position has been unanimously approved by the Senate on each occasion.

Important advances in marine tech-

nology and engineering during the past 10 years have now made the program of intensified ocean exploration feasible and inviting.

The Decade of Ocean Exploration envisions the utilization of ships, buoys, aircraft, satellites, undersea submersibles, and other platforms, advanced navigation systems, and expanded data systems, as the resolution points out.

The concurrent resolution further calls for an annual report by the President on the progress of the program and its transmission to the Congress, together with the administration's plans for its conduct during the ensuing year, and the department or agency designated to conduct its varied activities.

Mr. President, industry, science, and the public generally will welcome Senate approval of this concurrent resolution, which holds high promise for the Nation's security, economy, and welfare.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred; and, under the rule, the concurrent resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 72) was referred to the Committee on Commerce, as follows:

S. CON. RES. 72

Whereas the Congress finds that an unprecedented scientific and technological readiness now exists for exploration of the oceans and their resources;

Whereas accelerated exploration of the nature, extent, and distribution of ocean resources could significantly increase the food, mineral, and energy resources available for the benefit of mankind;

Whereas improved understanding of ocean processes would enhance the protection of life and property against severe storms and other hazards, would further the safety of maritime commerce, would directly contribute to the development of coastal areas of the Nation, would benefit the Nation's fishing and mineral extractive industries, and would contribute to advancement of a broad range of scientific disciplines;

Whereas realization of the full potential of the oceans will require a long-term program of exploration, observation, and study on a world-wide basis, utilizing ships, buoys, aircraft, satellites, undersea submersibles, and other platforms, advanced navigation systems, and expanded data processing and distribution facilities;

Whereas the inherently international character of ocean phenomena has attracted the interest of many nations;

Whereas excellence, experience, and capabilities in marine science and technology are shared by many nations and a broad program of ocean exploration can most effectively and economically be carried out through a cooperative effort by many nations of the world; and

Whereas the United States has begun to explore through the United Nations and other forums international interest in a long-term program of ocean exploration: Now, therefore, be it

Resolved by the Senate of the United States (the House of Representatives concurring), That it is the sense of Congress that the United States should participate in and give full support to an International Decade of Ocean Exploration during the 1970's which would include (1) an expanded national program of exploration in waters close to the shores of the United States, (2) intensified exploration activities in waters more distant from the United States, and (3) accelerated development of the capabili-

ties of the United States to explore the oceans and particularly the training and education of needed scientists, engineers, and technicians.

Sec. 2. It is further the sense of Congress that the President should cooperate with other nations in (1) encouraging broad international participation in an International Decade of Ocean Exploration, (2) sharing results and experiences from national ocean exploration programs, (3) planning and coordinating international cooperative projects within the framework of a sustained, long-range international effort to investigate the world's oceans, (4) strengthening and expanding international arrangements for the timely international exchange of oceanographic data, and (5) providing appropriate technical and training assistance and facilities to the developing countries and support to international organizations so they may effectively contribute their share to the International Decade of Ocean Exploration.

Sec. 3. It is further the sense of Congress that the President in his annual report to the Congress on marine science affairs pursuant to Public Law 89-454 should transmit to the Congress a plan setting forth the proposed participation of the United States for the next fiscal year in the International Decade of Ocean Exploration. The plan should contain a statement of the activities to be conducted and specify the department or agency of the Government which would conduct the activity and seek appropriations therefor.

RESOLUTION

HUNGER IN AMERICA

Mr. McGOVERN. Mr. President, as I announced I would do last Monday, I am today submitting a Senate resolution on hunger and human needs; for myself, and Senators MONDALE, BOGGS, HATFIELD, BAYH, BROOKE, BURDICK, CASE, CHURCH, CLARK, FONG, FULBRIGHT, GRUENING, HART, HARRIS, INOUE, JAVITS, KENNEDY of Massachusetts, KENNEDY of New York, KUCHEL, LONG of Missouri, MANSFIELD, MAGNUSON, MCGEE, METCALF, MORSE, MOSS, MURPHY, MUSKIE, NELSON, PELL, PERCY, PROUTY, RANDOLPH, RIBICOFF, SCOTT, WILLIAMS of New Jersey, YARBOROUGH, and YOUNG of Ohio.

For the benefit of those who want further explanation of the resolution, I would like to refer them to page 10181 of the RECORD for Monday, April 22, when I announced the proposed resolution and discussed it.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 281) was referred to the Committee on Labor and Public Welfare, as follows:

S. RES. 281

Whereas it has been demonstrated that every American does not have the basic food, clothing, and other necessities essential to life and health; and

Whereas surveys conducted by Government agencies and responsible groups of citizens show that in spite of America's abundance of food, fiber, and other resources our Federal food programs fail to reach many of the citizens lacking adequate quantities and/or quality of food, which may result in the lifetime impairment of children mentally and physically, and in unnecessary disease, suffering, and premature deaths among both young and adults, and

Whereas restricted use of programs au-

thorized by Congress, reversion of funds, divisions of responsibility and authority within Congress and administrative agencies, unwise regulations and other obstacles impede and frustrate efforts to banish starvation and want for necessities among desperately disadvantaged poor within our Nation: Now, therefore, be it

Resolved, That the President, the Department of Health, Education, and Welfare, the Office of Economic Opportunity, the Department of Agriculture, the Bureau of Indian Affairs, and any and all other agencies with applicable authorities shall use to the fullest extent possible their authorities under existing laws, including the Elementary and Secondary Education Act, the Johnson-O'Malley Act, section 32 of the Tariff Act of 1935, the OEO Food Assistance Act, the school lunch and all other authorities for child and relief commodity programs, to meet immediately the food, fiber, and other basic needs of the Nation's poor to the fullest extent possible; and be it further

Resolved, That there is established a select committee of the Senate composed of three majority and two minority members of the Committee on Labor and Public Welfare, three majority and two minority members of the Committee on Agriculture and Forestry, and three majority and two minority Members of the Senate appointed by the President of the Senate without regard to committee assignment, to study the unmet basic needs among the people of the United States and to report back to the Senate not later than the opening of the 91st Congress legislation necessary to establish a coordinated program or programs which will assure every United States resident adequate food, clothing and other basic necessities of life and health: Provided, That the select committee shall recommend to the Senate appropriate procedures for congressional consideration and oversight of such coordinated programs.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, April 26, 1968, he presented to the President of the United States the following enrolled bills:

S. 10. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Ocean Delight*, owned by Saul Zucker, of Port Clyde, Maine, to be documented as a vessel of the United States with coastwise privileges;

S. 1093. An act to authorize the use of the vessel *Annie B.* in the coastwise trade; and

S. 3135. An act to amend the Communications Act of 1934 by extending the authorization of appropriations for the Corporation for Public Broadcasting.

AVAILABILITY OF COPIES OF ADMINISTRATION'S PATENT REFORM BILL

Mr. McCLELLAN. Mr. President, as chairman of the Subcommittee on Patents, Trademarks, and Copyrights, I wish to announce that copies of a proposed substitute for S. 1042, the administration's patent reform bill, are available in the subcommittee's office. The substitute, in its general structure, represents my current judgment as to what provisions should be contained in a sound patent revision bill. Because of the complexity and technical nature of this subject matter, I wish to afford all interested parties an opportunity to comment on this text prior to any action by the subcommittee. These comments should be submitted not later than May 15, 1968.

NOTICE OF HEARINGS ON BILL TO INCREASE ANNUITIES PAYABLE TO WIDOWS AND WIDOWERS UNDER THE RAILROAD RETIREMENT ACT OF 1937

Mr. PELL. Mr. President, I should like to announce that the Subcommittee on Railroad Retirement has scheduled hearings on S. 2838, a bill to amend the Railroad Retirement Act of 1937, so as to increase the amount of the annuities payable thereunder to widows and widowers. This measure was introduced by Senator MORSE.

Hearings will take place on May 1, 1968 at 10:30, room 4232, New Senate Office Building.

NOTICE OF PUBLIC HEARINGS ON RIVERS AND HARBORS AND FLOOD CONTROL LEGISLATION

Mr. YOUNG of Ohio. Mr. President, the Subcommittee on Flood Control-Rivers and Harbors of the Committee on Public Works, of which I have the honor to be chairman, has scheduled public hearings for the consideration of various water resource projects recommended by the Chief of Engineers, U.S. Army.

These hearings are to be held on May 14, 15, and 16, and May 21, 22, and 23, starting at 10 a.m., in room 4200, New Senate Office Building, and will conclude the series of hearings on this subject which were initiated last September.

Upon conclusion of these hearings, an omnibus rivers and harbors and flood control bill will be drafted, with "the marking-up" session of the committee taking place, hopefully during the first or second weeks of June. In keeping with the desires of the leadership to complete committee action on major legislation at the earliest possible date, I would expect that an authorization measure would be brought to the floor for consideration by the Members of this body, shortly after the 15th of June.

All interested persons desiring to testify on favorable reports or other proposals, may arrange to do so by contacting the committee, telephone 225-6176.

HEARING ON NONAPPROPRIATED FUND ACTIVITY JURISDICTION (S. 3163)

Mr. TYDINGS. Mr. President, as chairman of the Subcommittee on Improvements in Judicial Machinery of the Judiciary Committee I wish to announce the opening of hearings by that subcommittee on S. 3163, which would provide courts of the United States with jurisdiction over contract claims against non-appropriated fund activities of the United States.

Hearings will begin at 9:30 a.m. on Wednesday, May 8, 1968, in the District of Columbia Committee hearing room, 6226 New Senate Office Building.

HEARINGS ON THE JUDICIAL REFORM ACT (S. 3055, S. 3060, S. 3061, AND S. 3062)

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Ju-

dicial Machinery I wish to announce that hearings before that subcommittee on S. 3055, S. 3060, S. 3061, and S. 3062, the Judicial Reform Act and other measures to improve the administration of the courts of the United States, will continue at 10 a.m. Wednesday, May 1; Wednesday, May 15; and Thursday, May 16, in the District of Columbia Committee hearing room, 6226 New Senate Office Building.

PRESIDENT JOHNSON WORKS FOR UNITY

Mr. BREWSTER. Mr. President—

The progress of America is the achievement of a Nation that is unified: not a Nation in lockstep, not a Nation where all men must think alike or act alike or vote alike—but a Nation in which the labors and the talents of the people make common cause toward common goals.

Those are the words of President Johnson, delivered at a dinner in Chicago this week. They are the words of a man who has put aside personal considerations for the purpose of uniting America at this time.

With the overwhelming need today for national unity, I believe everyone should have the chance to read the remarks of the President on this subject. I ask unanimous consent, therefore, that the President's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT AT CHICAGO, ILL.

Mr. Chairman, Governor Kerner, Mr. Mayor Dick Daley, Governor Shapiro, General Clark, Colonel Arvey, Members of the delegation of Chicago—one of the finest delegations in all the Congress—my fellow Democrats, Ladies and Gentlemen:

First, on behalf of Mrs. Johnson and myself, I want to thank each and every one of you for this wonderful welcome. I never really realized that withdrawal pains could be so pleasant. For a minute, while you were standing there, I closed my eyes and I thought that I had leaped ahead of time to that other hall over by the stockyards. But then I realized who I was—the President—not the Vice President, nor one of the Members of the Senate.

As we came in down here tonight, I saw four of your men out there shouting, with their placards. They were yelling "thief, scoundrel and murderer" and some other ugly names that I cannot repeat to this audience.

My Secret Service detail, Mr. Mayor, and your Colonel Riley both seemed to be slightly alarmed and I had to tell them that it was only—as nearly as I could judge—four out-of-town Democratic leaders working to unite the Party. Colonel Riley readily assured all of us that they could not have been Chicago Democrats.

Mayor Daley, we are so glad that you asked us to come. All of you have honored us by asking us here tonight. I am so proud and so happy to share your honors and the great pride that you people of Chicago feel with your great Mayor and my true and loyal friend for many years.

I not only want to thank Dick and Mrs. Daley and their wonderful family from the bottom of my heart, but Mrs. Johnson and I will always be grateful for the strength that their loyalty and their cooperation and their steadfastness have given us every step of the way—all these years, all along the road.

Governor Kerner and Governor Shapiro,

General Clark, I want to thank you, too. I want to explain that I came out here tonight to repay part of my debt. Mayor Daley extended this invitation to me last year. John Bailey, my beloved chairman of the National Committee renewed it several times. I promised to attend. When I make a promise, I try to keep it.

Now some Chicago newspapers have been wondering if there is any very special significance to my visit here tonight. But, as I told the Mayor as we came up the steps, the answer to this is quite simple. Dick, I just do enjoy coming to Party dinners because I used to be in politics myself.

I am here tonight to speak, not as a fellow Democrat, but to speak to you as a fellow American. I have come to talk to you about the tests of our times—and the trust of our parties.

For more than 100 years, both of our parties—Democrat and Republican—have drawn enduring strength from leaders who have known the shores of these lakes and who have walked the grass of these Middle Western plains.

In a time of danger and division for America, it was from the prairies of Illinois that the nation heard the counsel of unity and compassion from the strong Republican voice of Abraham Lincoln.

In our times—when danger confronted us and confronted all mankind—it was from these same prairies that we and the world were inspired by the counsel of sanity and good sense—from the brave and eloquent and wise Democratic heart of Adlai Stevenson.

In this vital year, as we approach our national decision together, I believe that the example of such men from the heart of America must be the example that governs America's head.

When this Republic was born, Thomas Jefferson looked about at the energy and the creativity that stirred among the people in the first years of our freedom. He was excited and he was inspired at what he saw. He wrote to a friend. He said: "It is like a new time."

He could have been writing about our own day.

No man could serve where I have served now for more than four years and five long months—in this great office of all the people—without sensing that we are once again in "a new time."

Yet, there are fears and doubts and suspicions and questions.

There are young men and women wondering if there is a place for them in a world that they did not make—in a world that they deeply yearn to make far better than they think it is.

There are mothers and fathers in every land and I am one of those fathers and she is one of those mothers—who despise war as their children despise it.

I will devote all of my days and all of my powers and all of my energies to winning the peace that is the prayer of every single American family.

There are men and women, boys and girls, whose souls rage each day against the bare walls and the bleak windows of their lives—where the sunlight of hope seldom ever shines.

But the story of our land—America, the beautiful—the story of our times—The United States of America—is not a dismal story of wrongs without end. Here in America, as nowhere else since time began, we are striving eagerly to let the sunlight shine upon all of our people. Because that is what America is all about.

Step by step, year by year, we are moving out of the darkness and out of the shadows, out into a new day of light and justice for all of our people.

True, our society does still bear burdens and scars from times long before any of us

were born. We cannot correct the injustice of centuries in a matter of hours or days or months. But we are on our way and we have acted to relieve those burdens and to heal those wounds. Nowhere else—in no other society on this earth—are so many so devoted to leaving this earth better than they found it.

I ask you, is there anyone in the room tonight who would trade where you are for where you were when you discovered this land? It is this purpose that is throbbing through our Republic tonight.

It must be served. With God's help, it will be served.

The progress of America is the achievement of a nation that is unified: not a nation in lockstep, not a nation where all men must think alike or act alike or vote alike—but a nation in which the labors and the talents of the people make common cause toward common goals.

Our parties and our politics must ever serve this purpose. They must never be permitted to divide or to divert us from the goal of one America.

In saying this to you, my friends, tonight I am only repeating the wisdom and the warnings of Great Americans throughout all of our history. From the first days of the Republic to our times, the leaders who have loved America have warned continuously against the divisive spirit of faction and special interests. Every generation of Americans must heed that warning.

However strong we may be, however prosperous we are, however just its purposes or however noble its causes, no Nation can long endure when citizen is turned against citizen—when class is turned against class—when cause is turned against cause—and race against race—and section against section—and generation against generation—by the mean and selfish spirit of partisanship.

The decisions that we must make this year are among the most vitally important decisions that Americans have ever been called upon to face. Perhaps more than at any time in all of our past, we shall be choosing our future—and we shall be choosing the future of our children.

The trial of our course and our wisdom will continue far beyond the terrible ordeal of Vietnam.

The test of our compassion will continue long after the ordeal of our great cities.

Through all the ten thousand tomorrows of this century, the generations of Americans who are living now—and those who will live later—will awake each morning into a new world. In that new world, each day may bring challenge—and I hope each hour will bring promise.

If the challenges are to be met—if the promises are to be realized—then America's political parties must become the guardians of all the people.

America will not be served by parties which only serve—or refuse to serve—those in business, or those in labor, or those in agriculture, or those in a specific minority or those in the cities, or those of one race or one heritage or one faith. We can and we must move on the broad highway toward greatness as a Nation only if the parties themselves are broad and open, receptive to all and always responsive to all of the people.

Our politics today is changed—and it is changing. Our issues are new. Our alignments are new. Our styles are new. Our slogans are new. And all of this is good—for it reflects and it serves the changes that are being wrought by America's own advances in the world. But the purpose of our politics is not changed, and it must not change—for that purpose is to serve the unity of all of our people all of the time.

In this time—and at this place—here in this great City of Chicago—with the presence of these devoted leaders, it is fitting to recall the words of one of our great American

leaders, Abraham Lincoln, when he spoke 110 years ago in a small Illinois town. He was then referring to the authors of our Declaration of Independence. Abraham Lincoln had this to say:

"Wise statesmen as they were, they knew the tendency of prosperity to breed tyrants. So they established these great self-evident truths that when in the distant future some man, some faction, some interest, should set up the doctrine that none but rich men, or none but white men, were entitled to life, liberty and the pursuit of happiness, their posterity might look up again to the Declaration of Independence and take courage to renew the battle which their fathers began."

So, not as partisans, not as Democrats, and not as Republicans, but only and always as Americans let us look to the good that has been wrought. Let us look to the victories that have been won for all of our people. Let us look at how far we have come and how far we must go. Let us look at the progress that our grandfathers and our fathers have made since they came to these shores. Let us look to the advances that we have made together in unity and in understanding and let us, too, take courage—to renew, and to sustain, that "battle which our fathers began."

When I talked to the Mayor late this afternoon and he asked me again to reconsider, I told him that I had been engaged the last several days in a complete reassessment of my own personal situation. I have come to the conclusion that I stood today just where I stood last year when he first invited me. I told him I would be here.

CREATION OF URBAN INSTITUTE

Mr. MONDALE. Mr. President, the President has just announced good news for all of us: The Urban Institute, inaugurated last December, has now been incorporated, and will hold its first meeting today.

Mr. President, I have eagerly awaited the formation of the Institute. For I see in the Institute idea the hope of resolving at least four kinds of problems in the urban affairs area: Communication, coordination, innovation, and evaluation. This Nation does not know enough about the problems of its cities. Cities do not know about one another. Efforts of all of the differing agencies and groups working on related problems are not related to one another. There is a sad dearth of new ideas. And experiments with new ideas too often go unevaluated.

Under the leadership of William Gorham, the distinguished committee of the Institute will be able to start work now toward study of common problems; coordinating information; conducting evaluations; and providing technical assistance. I feel confident that the Institute will become for the field of urban affairs what the Rand Corp. has been for the military, and more.

I commend the members of the committee, and the President on the creation of the Institute.

HUNGER IN U.S.A.

Mr. BARTLETT. Mr. President, I endorse the efforts of the junior Senator from South Dakota [Mr. McGovern] to place in the Senate spotlight the appalling situation which permits an outrageous number of our fellow citizens to suffer the pangs of hunger for much, if

not all their lives. It is a situation which cannot be excused or ignored in this Nation of affluence and abundance. It is, therefore, entirely proper that the Senate take special note of this condition and establish special machinery to push forward national efforts to eliminate the scourge of hunger and malnutrition from this country.

The report "Hunger, U.S.A.," published by the Citizens' Board of Inquiry into Hunger and Malnutrition in the United States, leaves little room for question that millions of Americans do not receive enough of the right foods to live healthful lives. Many are, in fact, deprived of the opportunity to live, simply because sufficient amounts of food with the necessary nutritional value are not available to them.

The report makes its point abundantly clear: Hunger and malnutrition are not limited to one State or a few States. They are nationwide occurrences to be found in all 50 States. Our efforts to provide food thus far through the food stamp program and the surplus food distribution programs have been grossly inadequate.

Others may wish to seek someone or some group or some public body upon which to place the blame for the conditions described in "Hunger, U.S.A." I feel that is wasted energy. What is important is that we now assume responsibility to correct this deficiency in American life. Malnutrition is a preventable disease which must be removed as a threat to all Americans both young and old.

There are many ways to mount an all-out war on hunger and malnutrition. One important element, as "Hunger, U.S.A." points out, in any attack on this condition is the provision of greater quantities of protein in the diets of this unfortunate group of Americans. Our great resources of the sea, which are still not fully appreciated, can help eradicate forever protein starvation. It is within our capacity and capability to produce a high protein food supplement from fish, fish not marketable today.

Today we are recognizing that hunger and malnutrition are not limited to our considerations of foreign aid. They are not limited to our considerations of agricultural programs. Hunger and starvation are, I am sad to conclude, an American problem. They are not one which we may continue to deal with in a haphazard or piecemeal manner.

The report of the citizens' committee says:

The damage caused by malnutrition begins even before birth and can affect future generations.

Mr. President, consider that statement. Is that a condition which we can permit? I think not.

UKRAINIAN INDEPENDENCE

Mr. FANNIN. Mr. President, I invite the attention of the Senate to the unparalleled courage and fortitude of the Ukrainian people in resisting the Soviet onslaught against their national culture and traditions.

This coming Sunday, Ukrainian Americans all over the United States will stage

a protest against the persecutions of Ukrainian writers, poets, and literary critics that are taking place right now in the Soviet Union.

The Ukrainians of Arizona inform me that they will transmit their protest to the World Assembly for Human Rights Conference to be held in Teheran, Iran.

The Ukraine is a nation of 45 million people who have a language, appearance and culture different enough from the other Slavic peoples of the Soviet Union to be considered a separate race. Since the 13th century this nation has suffered under one alien rule after another. Yet their individualist culture continues to survive. A tradition of democratic ideals and representative government remains as strong today as it was at its formation during the Middle Ages.

Indeed, the Ukraine is the cradle of all Soviet and Russian civilization. Its ancient capital of Kiev was the center of culture and commerce for 200 years, and its Cossack soldiers carried civilization into the isolated plains of central Asia. Russian folklore is laced with the stories of these adventurous men.

But in the 1600's, the Ukraine's representative body, the Rada, had to choose between tyranny of Polish domination or an unknown fate under the emergent empire of Russia. Within 3 years after its federation with Russia in 1564, the Ukraine was subjected to a cultural and political purge that has continued virtually unabated to this day. It is the tenacity of Ukrainian nationals who have preserved their language, traditions and customs through over three centuries of persecution that I wish to commemorate in the Senate today.

Tht Ukrainians have, perhaps, suffered the most under Soviet rule, for domination and persecution have assumed the pattern of Communist suppression familiar now in all parts of the world. The self-conscious nationalism of Ukrainian patriots prompted an attempt at independence when the czar was overthrown in 1917. Once the Bolsheviks under Lenin and Trotsky assumed control, however, any hint of secession or autonomy was crushed with arbitrary and dictatorial harshness. Yet the desire for independence remains, and survives today. Farm collectivization in the early 1920's meant the slaughter of cattle, destruction of crops, and consequent starvation or execution of over 4 million Ukrainians. Little wonder that fervent anticommunism and anti-Soviet sentiment remain strong in the Ukraine.

The intense patriotism of Ukrainians during World War II tells another proud chapter in this nation's history. Overrun by the German Army early in the war, the Ukrainians formed the vanguard of men who defended their motherland and eventually turned back Hitler. They found the still additional strength to turn and resist the return of the Red army and communism after the war Stalin's ruthless elimination of the Ukrainian cultural elite and local Communist Party leaders undermined but could not destroy a desire for independence.

The death of Stalin in 1953 at first seemed to promise new freedom of expression and nationalistic feeling. But

the Kremlin recognized the threat to its authority which Ukrainian nationalism posed, and has dealt harshly with attempts at revival of Ukrainian culture and literature. A crackdown on nationalist intellectuals in the last 2 years was revealed just this month. More than 30 artists and scholars in the Ukraine have been arrested, and the dreaded Communist secret police are investigating hundreds of others.

Mr. President, it is clear that little has changed in the Soviet Union. There is still suppression of literary and scholastic efforts, in the name of Communist unity. There is still the attempt to destroy the vestiges of nationalistic sentiment. Communism remains a threat to freedom and representative government, in the Ukraine as well as internationally.

It is important that those of us in this Nation who enjoy freedom and liberty remember these proud people who have continued to wage a fight for freedom that as yet bears bitter fruit. We need to take every opportunity to encourage them and let them know that Americans recognize and feel sympathetic to their struggle for freedom. Let us reaffirm that America places itself always on the side of freedom and opposes tyranny. Let us pray that one day soon the Ukraine may again be free.

Mr. President, I ask unanimous consent that a New York Times article, by Henry Kamm, describing these new suppressions by the Kremlin be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UKRAINIAN SCORES NATIONALIST IDEAS—RED LEADER SAYS TALK OF INDEPENDENCE IS "DRIVEL"

(By Henry Kamm)

MOSCOW, February 19.—Nationalism in the Ukraine was condemned at a Communist conference last week by the chief of the party in that Soviet republic.

The severity of the attack and the fact that Pravda, the national party newspaper, today reported its most stinging passage, are viewed as further evidence of the persistence of Ukrainian nationalism and Moscow's nervousness over it.

Earlier this month, information on a crackdown against nationalist intellectuals two years ago became known in the West through a collection of documents written by a Soviet reporter.

The journalist, Vyacheslav Chornovil, reported the arrest of nearly 30 artists and scholars, a secret police investigation of hundreds of others and closed trials and condemnation. Mr. Chornovil was himself reported to have been sentenced to 18 months in a labor camp last November.

Among Mr. Chornovil's writings was a letter of protest to Pyotr Y. Shelest, the Ukrainian party leader.

MAIN SPEAKER AT PARLEY

It was Mr. Shelest who made the main attack on nationalism last Friday at the party conference in Kiev, the Ukrainian capital.

Its principal point was viewed here as a direct reply to the nationalist intellectuals striving to keep alive Ukrainian culture, language and literature in an increasingly Russian environment. The party secretary said:

"Drivel about so-called independence, about a sort of degradation of culture and language, is rotten bait that will be taken

only by a person who is politically blind, a narrow-minded and embittered man, demagogues or degenerates, or by people who oppose everything our people do."

Mr. Shelest accused Ukrainian émigrés of seeking to foster bourgeois nationalism in the Ukraine.

"The governments of capitalist states, their intelligence agencies and reactionary circles" employ Ukrainian "counterrevolutionary traitors," Mr. Shelest charged, to subvert the Ukrainian people. He condemned particularly the United States and West Germany.

In what appeared to be a concession that anti-Soviet broadcasts found an audience in the Ukraine, Mr. Shelest charged that reactionaries from abroad were directing their efforts against "some of our politically immature and ideologically unstable people."

CONGRESS ON ALERT FOR CAPITOL ATTACK

Mr. BYRD of West Virginia. Mr. President, the Charleston, W. Va., Daily Mail recently published a column by the syndicated writers Robert S. Allen and Paul J. Scott concerning the recent civil disorders which occurred in Washington, D.C., earlier this month.

Columnists Allen and Scott discuss the growing threat of a "second round" of attacks to destroy and disrupt the Nation's Capital and its key Government functions."

This is a disturbing report and every precaution ought to be taken to insure that such actions do not occur.

I ask unanimous consent that the article entitled "Congress on Alert for Capitol Attack" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONGRESS ON ALERT FOR CAPITOL ATTACK

(By Robert S. Allen and Paul J. Scott)

Congressional authorities are on the alert for a possible attempt to set fire to the nation's Capitol and its surrounding complex of office buildings.

Dozens of militant Negroes and antiwar protesters with known Communist ties have been systematically infiltrating Washington in small groups for several weeks.

U.S. security officials believe they are gathering here for the "second round" of attacks to destroy and disrupt the nation's capital and its key government functions.

Several of these militants, including a 27-year-old light skinned Negro from Detroit, are known to be experts in making firebombs or to have served as "paymasters" for fires set during last summer's big city riots.

Their convergence on Washington, along with several persons on the Secret Service's list of "dangerous persons," is causing growing concern among those assigned to guard the safety of government officials and members of Congress.

The ominous threat that the Capitol might be fired first came while smoke billowed over Washington during the April 4-8 burning and looting following the assassination of Dr. Martin Luther King.

At one crucial point during this planned violence, the Federal Bureau of Investigation alerted Speaker John McCormack, D-Mass., that a group of black militants had loaded a panel truck with gasoline and was headed for the Capitol.

Firm action: As outlined to federal authorities by an FBI informant, the militants' bold plan called for the driver to run the truck into the underground parking area of one of the congressional office buildings and then ignite it.

This motorized fire-bomb the informant stated, was to be a diversionary maneuver to draw away police and federal troops guarding the Capitol building. Then other teams of hard-core militants were prepared to rush the Capitol from several directions after arriving on the scene by high-speed automobiles.

However, the blitz attack was never carried out.

At the last minute the militants called it off, after learning that the Capitol grounds had been reinforced with extra police and federal troops. For the first time since the Civil War, troops were actually stationed inside the Capitol. This show of force was too much for the militants.

According to congressional sources, Capitol police could make no move to arrest the militants in the gasoline-loaded panel truck since it did not come within the area where they have jurisdiction.

Although the Justice Department has full details of the proposed attack on the Capitol, these lawmakers say they expect no action from Attorney General Ramsey Clark.

Past statements by the government's chief prosecutor, they argue, clearly indicate that he has little stomach for prosecuting law violators among the black militants.

Only a rising tide of protest to the White House by the average man on the street, they claim, can force Clark to act.

Cracking down: New warnings that attempts will be made to put the torch to the Capitol are now being carefully studied by congressional leaders and their security officials. The critical period, they say, will be from late April through August, when Congress will recess for the national political conventions.

Despite the burning and looting in Washington early this month when more than 800 fires were set in the city, not a single window was broken or other damage inflicted on the Capitol or its billion dollar complex of buildings.

James M. Powell, chief of the Capitol police, credits this impressive security record to the firmness which Speaker McCormack permitted him and his men to use.

Under plans approved by McCormack, no person was allowed to enter the Capitol grounds without an official pass and all looters traveling on nearby streets were stopped and held for District of Columbia police.

For instance, during a one-hour period on April 4 more than 26 cases of liquor were taken from looters by Capitol police and turned over to city police, who at the time were under instructions not to arrest looters. These orders were changed when people around the country, watching the looting on TV, began to bombard the White House with thousands of telephone calls and wires.

INTERNATIONAL HUMAN RIGHTS WEEK IS TIME FOR ACTION ON TREATIES FOR MANKIND

Mr. PROXMIRE. Mr. President, this is a crucial week for international human rights.

The International Human Rights Year Conference has just met in Tehran, Iran.

It is time we made the dramatic difference between our system of government and tyranny clear by ratifying the Human Rights Conventions on Forced Labor, Political Rights of Women, Freedom of Association and Genocide.

For many years, the Committee on Foreign Relations, has been sitting on these conventions which uphold man's dignity and basic rights.

I urge Senate action on the Conven-

tions on Forced Labor, Political Rights of Women, Freedom of Association, and Genocide. Affirming these treaties would advance the cause of humanity throughout the world.

THE 25TH ANNIVERSARY OF THE WARSAW UPRISING

Mr. DODD. Mr. President, this week, in services and ceremonies throughout the free world, men who love freedom are commemorating the 25th anniversary of the Warsaw ghetto uprising.

No more heroic battle has ever been fought.

The 60,000 Jews in the Warsaw ghetto knew that they could not hope to prevail against the mighty German Army, with its tanks and artillery and aircraft. They knew, too, that they could hope for no assistance from the Western Allies, and for precious little assistance from the Polish underground outside the ghetto walls.

The choice before them was a desperate one.

On the one hand, they had the choice of marching like so many sheep to the gas chambers and crematory of Auschwitz, where 6,000,000 Jews lost their lives during World War II, in the most methodical and most grisly massacre in history.

On the other hand, they had the choice of challenging the Nazi army to battle, and fighting to the last weapon and the last bullet.

The Jews of the Warsaw ghetto, to their eternal credit, chose the latter course.

On April 19, 1943, the Jewish combat organization in the ghetto, under the leadership of Mordecai Anielewicz, surprised the Nazis and thrilled the entire free world by launching their desperate and foredoomed revolt against the Nazi occupiers.

The Nazis responded by throwing into battle several divisions of troops and entire squadrons of the Luftwaffe.

With the few weapons they had been able to smuggle into the ghetto with the help of the Polish underground, the Jews fought back, building by building and stone by stone, as the Nazis pounded the 800 acres of the ghetto into total rubble.

For almost 3 long weeks they fought back in this incredibly unequal battle. Finally, on May 8, 1943, the last outpost of the Jewish resistance fell to the Nazi attackers. The Jewish leaders who still survived committed suicide rather than be captured.

The great majority of the Jews in the ghetto were either killed in the fighting or captured and subsequently murdered at Auschwitz. Only a tiny minority survived to bear testimony to this epic struggle.

It is fitting and proper that we in the Senate should mark this occasion. And, in paying tribute to the fallen martyrs of the Warsaw ghetto uprising, it is also fitting that we should rededicate ourselves to the continuing struggle against the kind of prejudice and intolerance that led to the massacre of 6,000,000 Jews during World War II.

STUDENT FERMENT IN EUROPE

Mr. DODD. Mr. President, Europe today is the scene of widespread student ferment. There is a tendency in some quarters to view this ferment as something generic to the modern student generation in both Communist and non-Communist countries. Conceivably there is something to this view. But what strikes me as peculiar is the total contradiction between the aims of the student ferment in Communist Europe and the aims of the recent student demonstrations in Germany and Britain and, for that matter, in our own country.

In Poland and Czechoslovakia, the students are demonstrating for more freedom and against Communist tyranny.

But in West Germany and Britain, a generation of students, which knows nothing about the meaning of Communist tyranny from its own experience, is demonstrating in the streets and in the universities against established authority and against American policy in Vietnam.

Instead of demonstrating in support of Sinyafsky and Daniel and the other imprisoned intellectuals in the Soviet Union and Communist Europe, and instead of manifesting their solidarity with the students in Warsaw, and Prague, the students of West Germany, under the leadership of Red Rudi Dutschke, according to the press have been marching through the streets chanting "Ho, Ho, Ho Chi Minh."

I invite the attention of Senators to an exceptionally perspicacious article by the liberal columnist Max Lerner, which was published in the Washington Star of April 24.

In dealing with the situation, Mr. Lerner points to one of the most alarming aspects of the student agitation in Germany today—its intolerance and its willingness to resort to totalitarian methods to silence those with whom it disagrees. On this point, I quote two paragraphs from Mr. Lerner's column:

The avowed target of the demonstrators is Axel Springer's press empire, on the theory that the Springer papers whipped up feeling against Dutschke and thus provoked the assassination attempt. But whether or not this is true—and it sounds pretty hysterical—it makes no sense to use it as a reason for violence against the Springer plant, trucks and workers. Despite the anti-Nazi slogans of the Dutschke group, one must ask who is really totalitarian in spirit: the Berlin government breaking up the demonstrations or the demonstrators trying to silence a press they disagree with.

Every free newspaper must stand with the Springer papers on this issue of press freedom from political violence. So should every student who cares about a competition of ideas. If the press in Germany is to be cowed by left-wing violence, it will be cowed by right-wing violence as well—and that is the path back to the Nazis.

I ask unanimous consent that the complete text of Mr. Lerner's column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STUDENT FERMENT TROUBLES EUROPE (By Max Lerner)

Americans are not alone. There is trouble in Europe, too. There have been student riots.

sits-ins, occupation of college buildings in Spain, Italy, Poland and now in West Berlin and West Germany. In each of these there has been a different situation into which the student demonstrations fit.

But the two basic patterns are those of Poland and West Berlin. In Poland (as also in Spain) the student protest was an effort to liberalize a totalitarian regime, as the Czech regime is today being liberalized. In West Berlin, in the riots over the wounding of Rudolf Dutschke, the aim is to paralyze a tolerably democratic regime which is an ally of the United States. This follows the pattern of similar student riots in Japan and Italy.

The pace of student activism in West Germany has accelerated in a very brief period. When I lectured in the summer of 1966 at a number of German universities I reported on militant student groups on every campus, but they were militant chiefly about student grievances. The only exception was the Free University of Berlin, operating partly with American foundation funds, where the feeling was strongly political and anti-American.

That trend has now reached the other universities. In Berlin the wounding of the charismatic student leader, Rudy Dutschke, by a demented young Nazi has given the students on the Left their dream opportunity to stage a series of new demonstrations around a hero-martyr and to include America in their cry of "Nazi swine" against the police.

In their political orientation the Dutschke forces are as far left as you can get without becoming openly Communist. They are scornful of the Russians for having become staid and settled as a world power, they identify with Castro, they admire the Chinese as world revolutionaries. For German reasons they don't want to stage joint actions with the East German Communist regime which has extended them a fraternal embrace. They are, of course, obsessively anti-American and have not allowed their Vietnam demonstrations to be altered by the fact that Washington and Hanoi are about to start the first phase of peace talks.

The question about them is this: What do they want? Dean Acheson once said about the British that they have lost an empire but have not yet found a role. The Berlin students have found a role, in being what they call an "extra-parliamentary opposition," but they have no imperium to use it for. They are caught between an American imperium they hate, a Soviet imperium they scorn and a German regime they despise.

Their thinking is vaguely in a Left-Socialist direction, but their only action is anti-American. They cannot aim at power for themselves, as the Spartacist movement did almost half a century ago under Karl Liebknecht and Rosa Luxemburg; whatever hurt they do to the Kiesinger-Brandt coalition can only help the deeply reactionary Communist regime of East Germany. They remind me most of the fable of the poor, foolish donkey dressed up in a lion's skin.

The avowed target of the demonstrators is Axel Springer's press empire, on the theory that the Springer papers whipped up feeling against Dutschke and thus provoked the assassination attempt. But whether or not this is true—and it sounds pretty hysterical—it makes no sense to use it as a reason for violence against the Springer plant, trucks and workers. Despite the anti-Nazi slogans of the Dutschke group, one must ask who is really totalitarian in spirit: the Berlin government breaking up the demonstrations or the demonstrators trying to silence a press they disagree with.

Every free newspaper must stand with the Springer papers on this issue of press freedom from political violence. So should every student who cares about a competition of ideas. If the press in Germany is to be cowed by left-wing violence, it will be cowed by

right-wing violence as well—and that is the path back to the Nazis.

What makes the European picture even more dramatic is to compare the patience of the West German regime toward this violence with the way the Polish regime treated the protests of its own students. The Polish regime responded with repression, showing the naked fist of an old-line Communist state when faced with intellectual criticism. It also responded with an anti-Jewish propaganda barrage, seeking to "unmask" the student response as really "Zionist" in intent. Finally it responded by a shakeup of top military officials and a government purge.

Actually, the impact of student protest frightened the regime in Poland far more than that in Germany or the United States although it brought negative results. The Berlin students will continue to make more noise and get more headlines in the next few weeks. But the unanswered question remains: What do they want, other than to throttle some newspapers? And where do they want to go?

THE ILLOGIC OF WITHDRAWAL—A REVIEW OF THE BOOK "VIETNAM: THE LOGIC OF WITHDRAWAL," BY HOWARD ZINN

Mr. DODD. A number of months back, Prof. Howard Zinn, an East Asian Fellow at Harvard University, published a book entitled "Vietnam: The Logic of Withdrawal." The book was widely quoted by critics of our Vietnam policy, and Professor Zinn's scholastic credentials served to endow these quotations with considerable authority.

Toward the end of last November, Professor Zinn was scheduled to address a student meeting at the University of Indiana. Many students at the university disagreed strongly with Professor Zinn's views. Instead of attempting to disrupt his meeting, in imitation of some of the Vietnam critics, the pro-Vietnam students distributed a scholarly analysis of Professor Zinn's book in advance of his appearance.

I invite the attention of Senators to the analysis because it helps to illustrate how incredibly careless with their facts some of the most celebrated academic critics of our Vietnam policy have been.

In the letter which accompanied the analysis, Mr. Robert F. Turner, State chairman of the National Student Committee for Victory in Vietnam, said:

You may recall the response given Secretary of State Dean Rusk by anti-war elements who felt that there was a good chance that the Secretary would lie to them. You may also recall that as a result of their tactics, many of us who went to hear the Secretary could not tell if he was lying or not, as we were unable to hear him above the screams of "liar!" and "murderer!"

We of the SCVNV feel that there is a good chance that we, too, are about to be lied to—this time by Professor Howard Zinn, author of *Vietnam: The Logic of Withdrawal*. If his speech is of the same intellectual quality that his book is, we feel that he has no place in the academic community.

However, being strongly committed to academic freedom and freedom of speech, we feel that Professor Zinn should be permitted to voice his opinion, without having to outshout those who feel that he is being less than honest.

Therefore, we are relying on an age-old and highly respected academic tradition—rebuttal. We have prepared a brief review of his book, entitled "The Illogic of With-

drawal," which is enclosed for your consideration.

We urge you to use your own judgment in deciding whether or not to attend the Zinn program on December 1st. We are encouraging our members to attend, but are advising them to read Zinn's book, and our review, first. We feel that you, too, will agree with our conclusions after reading the enclosed review. It is our hope that our opposition will benefit from our approach, and we encourage them to employ the same technique—in lieu of shouting and screaming—the next time they are dissatisfied with a convocation program.

Mr. Turner's review of Professor Zinn's book, which he aptly entitled "The Illogic of Withdrawal," listed one major inaccuracy after another in Professor Zinn's book.

For example, whereas Professor Zinn wrote that the national election which the Vietminh organized in 1946 "was the first popular general election in the history of Indochina," Mr. Turner quotes the renowned Vietnam scholar, Ellen Hammer, as saying:

Many things were irregular about the elections. They were dominated by the Vietminh; often there was only one candidate running in the district.

He further quotes Bernard Fall:

In January, 1946, after rigged elections had given the Vietminh an absolute majority in the government.

On the basis of Mr. Turner's review and after having met several of the pro-Vietnam student activists on our campuses, I would be quite prepared to pit these student leaders in a nationally televised debate against the most celebrated academic critics of our Vietnam policy.

Because I consider it an outstanding example of how good student scholarship can be, I ask the unanimous consent to have printed in the RECORD the complete text of Mr. Turner's review "The Illogic of Withdrawal."

There being no objection, the review was ordered to be printed in the RECORD, as follows:

THE ILLOGIC OF WITHDRAWAL (By Robert F. Turner)

(A critical review of: "Vietnam: The Logic of Withdrawal," by Howard Zinn, Beacon Press: Boston, 1967, 125 pp.)

Howard Zinn's *Vietnam: The Logic of Withdrawal* is characterized by sloppy scholarship, factual inaccuracies, internal inconsistency, and either a blinding adherence to a political dogma, or a purposeful attempt to deceive the American reader. One might prefer to be sympathetic and attribute it to the former, but Professor Zinn's credentials (Ph. D. Columbia, East Asian Fellow at Harvard) suggest that perhaps the good Professor is perpetuating a hoax—a hoax calculated to contribute to the abundance of misinformation currently being dispensed with regard to Vietnam.

Were it not for the wide circulation the book is receiving, one could perhaps dismiss it as the confused efforts of a misguided academician. This thesis receives support from the fact that Dr. Zinn identifies the birth of the insurgency in South Vietnam as 1958 (page 88), 1959 (page 77), and 1959-1960 (page 63). One could understand a difference of opinion as to exactly when the insurgency began (Trager says 1955,¹ Scig-

¹ Trager, Frank N., "Back to Geneva '54? An Act of Political Folly," in *Vietnam Perspectives*, Vol. I, No. 1 August 1965, p. 4.

liano says 1956,² and Fall and Newman say 1957,³ but one cannot so easily understand the flagrant inconsistencies of a "respected" member of the academy.

Page 37 of Dr. Zinn's book is enough in itself to condemn it from the standpoint of intellectual competence and historical acceptability. He writes:

"At this time [1940, according to the previous sentence] the nationalist movement of the Vietminh was formed, carrying on guerrilla warfare against the French and the Japanese, under the leadership of Ho Chi Minh, a popular resistance leader and a Communist."

An analysis of this sentence will prove instructive. In the first place, the Viet Minh was not formed in 1940, it was formed in May of 1941.⁴ In the second place, Bernard Fall points out that the "guerrilla warfare" against the Japanese consisted of only one recorded engagement, on July 17, 1945, in which only eight Japanese soldiers were killed.⁵ In the third place, the Viet Minh was from the start Communist Controlled. In the words of P. J. Honey (a British scholar called by Joseph Alsop "Literally the only serious authority on Vietnam with no axe to grind"):

"The fiction that the Vietnamese resistance movement [Viet Minh] was basically a nationalist movement in which some Communists played a part, not a movement dominated and tightly controlled by Communists, was continued until the end of the war."⁶

One leading historian has claimed that the Viet Minh was formed as a direct result of Comintern orders.⁷

In the fourth place, prior to the formation of the Viet Minh (which took place in China), Ho Chi Minh "had not set foot on Vietnamese soil for thirty years."⁸ In fact it would have been impossible for Ho Chi Minh to be "a popular" anything, as prior to the formation of the Viet Minh, he had used the name Nguyen Ai Quoc (among others), and in fact only in 1958 did North Vietnam admit that Ho Chi Minh was indeed the old Comintern leader who had co-founded the French Communist Party, and had spent several years as a Russian citizen.⁹ Hong Van Chi, a former Viet Minh soldier, observes that: "The name of Ho Chi Minh became known to the Vietnamese public for the first time in August, 1945."¹⁰

But anyone can make a mistake. Perhaps one should go on, to the bottom of the page, where Zinn writes:

"In January, 1946, the Vietminh held a national election, openly in their part of the country, secretly in the French part; it was the first general, popular election in the his-

tory of Indochina, and Ho Chi Minh became President of the Democratic Republic of Vietnam. (Ellen Hammer, in *The Struggle for Indo-China* describes this whole period in detail.)"

Does Dr. Zinn really want the reader to check his sources, or does he hope that his word will be accepted without question? In the interest of fairness, one should consult Dr. Hammer. On page 143 she writes:

"Ho Chi Minh reached a last-minute agreement with the major opposition groups: he promised that regardless of the outcome of the elections, 50 of the seats in the new national assembly would go to the VNQDD, and 20 to the Dong Minh Hoi. . . . It was in fact impossible to talk of real fairness and accuracy in a country-wide election held in conditions of quasi war and among people who had no knowledge of the techniques of democracy. . . . Many things were irregular about the elections. They were dominated by the Viet Minh; and often there was only one candidate running in a district. . . . Voting officials asked publicly for whom they wanted to vote so that they could write down the names for them; there was little secrecy in the casting of ballots. Even the figures issued by the Viet Minh on the election results were open to serious question."

Most responsible scholars on Vietnam are not even that kind, and Bernard Fall writes: "In January, 1946, after rigged elections had given the Vietminh an absolute majority in the government. . . ."

But let us not dwell too long on just one page. Perhaps the next one is better. On page 38, Zinn says:

"And what was United States policy? In view of American claims today that its policy is to support self-determination and independence, the answer is both illuminating and troubling: The United States fully supported the French effort to maintain its power in Indochina against the nationalist struggle for independence."

This paragraph especially suggests that the writer is lying in an attempt to deceive the reader. The American position is a matter of documented history, and is summarized by Bernard Newman, in *Background to Vietnam*:

"The American outlook on South-East Asia is clear. The United States refused any post-war action which might even appear to support the reimposition of Western colonial rule. But official opinion changed rapidly when the Chinese Communists, having driven the American-backed Nationalists from the mainland, reached the borders of Burma, Laos, and Viet-Nam. The Americans have never pretended to favour Communism, and the Chinese made it quite clear that their ambitions included, among others, control of South-East Asia."¹¹

As we read on, the book gets no better. On the next page (page 39) Zinn says that the United States "accepted" the Geneva settlements. This is not the case. Under Secretary of State Walter Bedell Smith stated that "My government is not prepared to join in a declaration by the conference such as is submitted."¹² Instead, the United States issued a unilateral declaration, promising to refrain from the threat or use of force to disturb the agreements, and stating that it would view any renewal of aggression in violation of the agreements with grave concern and as seriously threatening international peace and security. Since the Communists began to violate the agreements from the moment they were created, any obligation of the United States (and South Vietnam, which

also refused to sign them and did not accept them) was negated.¹⁴

As we again turn the page, we find Zinn suggesting that Ngo Dinh Diem was "a former official in the French colonial government." This is true, but should, in the interest of intellectual integrity, be placed in the proper context. Zinn doesn't feel obligated to tell the reader that:

"Ngo Dinh Diem fell out with his sovereign and the French when it became apparent that the latter would not agree to endow Annam's Chamber of People's Representatives with effective legislative powers. True to his reputation for 'all or nothing' integrity, he resigned in July [1953] after having publicly accused the emperor of being 'nothing but an instrument in the hands of French authorities,' and handed back all the titles and decorations bestowed on him by Bao Dai and the French."¹⁵

As Bernard Newman observed: "He was not of the stuff of which puppets are made."¹⁶ If Diem was such a villain, can Dr. Zinn explain why Ho Chi Minh begged him to join the Viet Minh government?¹⁷

To continue examining Dr. Zinn's book, page by page, would produce several dozen additional errors, but would require more time and effort than the book merits. Thus, we will consider just a few of the many, many, remaining fallacies.

On page 46, Zinn writes:

"Most of the peasants have tiny holdings, and over 500,000 have no land at all."

"The Diem regime's 'land reform' was too slow, too puny, and had too many loopholes."

It is, as usual, instructive to compare this comment with the conclusions of some of the more acceptable scholars on the subject. Bernard Fall writes:

"While timid attempts had been made during the administration of Nguyen Van Tam in 1953, credit for a comprehensive land transfer law must go to the republican government."¹⁸

Bernard Newman writes:

"If President Ngo Dinh Diem had been judged only on his agrarian policy, he would have been acclaimed."¹⁹

Wesley Fishel points out the reason why the land reform program was not as successful as some of us might have wished:

"The land reform program got off to a slow start, but by 1957 it was in active operation. By December 1, 1959, of a total of 436,672 hectares of Vietnamese owned land subject to transfer under the agrarian reform ordinance, 411,273 hectares (roughly one million acres) had been surveyed and allotted to 118,525 new owners. During the years since that time, however, steadily increasing Communist terrorist activity and resulting insecurity in the countryside brought the land redistribution program to a virtual halt. . . ."

On page 81, Zinn suggests: ". . . there is no persuasive evidence to indicate that the Vietnamese would be worse off under Ho Chi Minh than they have been under Diem or Ky; indeed, the lower classes—and most Vietnamese are peasants—would probably be better off."

Perhaps an analysis of the great "land reforms" of North Vietnam would be illus-

² Scigliano, Robert, *South Vietnam Nation Under Stress* (Houghton Mifflin Co.: Boston, 1963, 1964). p. 137.

³ Fall, Bernard B., *Vietnam Witness* (Praeger: New York, 1966). p. 131, *The Two Vietnams* (Praeger: New York, 1963, 1964). p. 359, and Newman, Bernard, *Background to Vietnam* (Roy Publishers: New York, 1965, Signet Ed. 1966). p. 144.

⁴ Buttinger, Joseph, *Vietnam: A Dragon Embattled*, (Praeger: New York, 1967) Vol. I, p. 265. Also found in Fall, *The Two Vietnams*, p. 62.

⁵ Fall, Bernard B., in introduction to Vo Nguyen Giap's *People's War People's Army*, (Praeger: N.Y.) p. xxv.

⁶ Honey, P. J., *Communism in North Vietnam*, p. 15.

⁷ Devillers, Philippe, *Histoire du Viêt-Nam de 1948 à 1952*. Paris: Editions du Seuil, 1952). p. 96-97.

⁸ Fall, in Giap's *People's War People's Army*, p. xxxiii.

⁹ Hammer, Ellen J., *The Struggle for Indo-China*, p. 75. Also see: Honey, P. J., *North Vietnam Today* p. 3, and Hoang Van Chi, *From Colonialism to Communism* p. 32.

¹⁰ Ibid. p. 31.

¹¹ Fall, Bernard B., in introduction to *People's War People's Army*, page xxxv.

¹² Newman, *Background to Vietnam*, p. 102., see also Hammer, *op. cit.* p. 130., Newman, *op. cit.* p. 27, and Fall, *Vietnam Witness* p. 5.

¹³ Fall, *ibid.* p. 74.

¹⁴ Newman, *Background to Vietnam*, p. 112, 132 see also, Scigliano, *op. cit.* p. 137, Honey, *Communism in North Vietnam*, p. 21-22, Dooley, Thomas, *Deliver Us From Evil*, p. 185, Fall, *The Two Vietnams* p. 358, and many others.

¹⁵ Fall, *The Two Vietnams*, p. 239.

¹⁶ Newman, *op. cit.* p. 115. see also Fishel, Wesley R., *Vietnam: Is Victory Possible*, p. 14-15, Scigliano, *op. cit.*, p. 14-17, Buttinger, *op. cit.* p. 689, 845, 1255.

¹⁷ Newman, *op. cit.* p. 115, Buttinger, p. 689.

¹⁸ Fall, *Vietnam Witness*, p. 179.

¹⁹ Newman, *Background to Vietnam*, p. 125.

²⁰ Fishel, *Vietnam: Is Victory Possible*.

trative of this point. In South Vietnam, according to Mr. Zinn's figures, 500,000 peasants had no land. As a result of the land reforms in North Vietnam, over 13 million peasants, who formerly owned land, were deprived of it by the Communist government.²¹ P. J. Honey, who is considered by many to be the leading Western scholar on North Vietnam, writes:

"The first shock of disillusionment with Chinese policies came with the disastrous failure of the agrarian reform in North Vietnam. The agrarian reform incensed the people of North Vietnam more than any other Communist action before or since. Revolts flared locally and had to be forcibly suppressed, and public anger rose to such heights as to threaten the very existence of the Lao Dong Party."²²

Ellen Hammer, writing in *Pacific Affairs*, in September, 1957, wrote:

"The Northern agrarian reform program degenerated into an instrument of terror devoid of any economic justification and the indiscriminate purge directed against groups of people who by no definition could legitimately be regarded as big landowners, had such a demoralizing effect on the population that sporadic risings broke out in November 1956 north of the seventeenth parallel; and the D.R.V.N. finally had to admit publicly the breakdown of its agrarian reform program."²³

Bernard Fall estimates that close to 50,000 North Vietnamese were executed in connection with the land reform and that twice that many were sent to forced labor camps.²⁴ Hoang Van Chi asserts that:

"So far, nobody has been able to assess accurately the exact number of deaths that occurred during the Land Reform; but according to refugees who reached Saigon in 1957, the whole countryside of North Vietnam was white with the turbans of mourners. (White is the Vietnamese colour of mourning.) This does not seem to be exaggerated, since, apart from the number of people who were sentenced to death by the Special People's Tribunal and publicly shot, there still were people who died in jail and in concentration camps, and those who committed suicide."²⁵

Professor Zinn's actual thesis, which goes a long way to explain—if not justify—his misuse of facts and lack of intellectual integrity, is found on pages 100-101, where he says: "... one forgets that the United States and Western Europe, now haughty in prosperity, with a fair degree of free expression, build their present status on the backs of either slaves or colonial people, and subjected their own laboring populations to several generations of misery before beginning to look like welfare states."

"The perspective of history suggests that a united Vietnam under Ho Chi Minh is preferable to the elitist dictatorship of the South. ... Right now, for Vietnam, a Communist government is probably the best avenue available to that whole packet of human values; which make up the common morality of mankind today; the preservation of human life, self-determination, economic security, the end of race and class oppression, and that freedom of speech and press which an educated population begins to demand."

Comments like this lead those of us who have spent some time behind the Iron Cur-

tain to believe that perhaps Professor Zinn has not. Does he really believe that there is any comparison between our "fair degree of free expression" in which he and his followers are permitted to publish the likes of *The Logic of Withdrawal*, and the Communist totalitarian regime of Ho Chi Minh? The "freedom of the press" in North Vietnam is observed by Bernard Newman, who writes:

"There were bitter complaints of the lack of intellectual freedom: of the shocking injustices of the people's courts; of the Street Protection Committees' formed to 'maintain security' in urban streets. ..."

"On 15th(sic) December 1956 the government published a new decree guaranteeing freedom of the press. Thus read the first paragraph of the decree. The other clauses outlined the conditions which made freedom impossible. On the very same day as the decree was issued, Nhan Van was suppressed!"

"The other critics were also silenced. Their supplies of newsprint were withdrawn, and the printers' trade union was ordered to lead its members out on strike. Thus the 'hundred flowers' era was even shorter in North Vietnam than in China."²⁶

I would challenge Professor Zinn to produce some factual support for his suggestion that the "welfare state", or any other form of socialism, guarantees economic security. If he will examine the record of the countries of Asia, he will find that economic prosperity is greatest in countries which have certain traits in common. These include, as Richard Nixon recently observed in *Foreign Affairs*: "... a prime reliance on private enterprise and on the pricing mechanisms of the market as the chief determinate of business decisions."²⁷

CONCLUSION

The above analysis tends to suggest that Professor Zinn's book, *Vietnam: The Logic of Withdrawal*, is not to be trusted, and is therefore of little value to the serious scholar. There are, however, some worthwhile points brought forth in the book, and some interesting assertions. It is, for example, worthwhile to note that while Professor Zinn does not subscribe to the "Munich analogy," he does concede that: "There is strong evidence that if the Sudetenland had not been surrendered at Munich ... and that if Hitler had then gone to war, he would have been defeated quickly with the aid of Czechoslovakia's 35 well-trained divisions. And if he chose at the sign of resistance not to go to war, then at least, he would have been stopped in his expansion."²⁸

To give the book a favorable recommendation would be a disservice to the academy, however, the effort will prove valuable, in at least one respect, to future generations of political writers—it will stand as the epitome of bad examples.

(Distributed free of charge, as a public service, by the Indiana Student Committee for Victory in Vietnam, % Activities Desk, I.M.U., Indiana University, Bloomington, Indiana 47401, November 1967.)

BLOCK GRANTS TO THE STATES FOR LAW ENFORCEMENT ASSISTANCE

Mr. HRUSKA. Mr. President, the Senate will consider shortly the omnibus crime control and safe streets bill, S.

917. One of the major issues that will be debated will involve the so-called block grants.

While neither the block-grant provisions of the House-passed bill nor the amendments offered by my Republican colleagues of the Senate Committee on the Judiciary and me are pure block grants in the sense that Federal grant assistance would be made available for totally unrestricted use as each State may see fit, we do urge that Federal funds be channeled through the States for this essential purpose.

One of the best rationales of our position is to be found in a recent policy declaration of the prestigious National Council on Crime and Delinquency.

I commend the statement to the reading of Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[From the National Council on Crime and Delinquency]

STATE RESPONSIBILITY IN LAW ENFORCEMENT AND CRIMINAL JUSTICE

The major result of House action on the Law Enforcement and Criminal Justice Assistance bill (H.R. 5037/S. 917) was to change the emphasis of the program from Federal-local to Federal-state-local. Before the Senate acts on the bill, it might be useful to examine the law enforcement and criminal justice system which this program would attempt to improve.

Responsibility for crime control is shared by state and local governments, with the role of the state expanding steadily. The growth of inter-county and interstate crime, the inability of local governments to provide services, and the complexity of local crime control have demanded greater state and Federal involvement. Local agencies cannot meet the problem because effective law enforcement, as well as courts and corrections, cannot be operated by individual communities acting alone.

Eighty-three per cent of crime is committed in the 212 Standard Metropolitan Statistical Areas. These 212 SMSAs include 313 counties and 4,144 cities. Each of these 4,457 jurisdictions has its own police department, and their effectiveness suffers from overlap, inadequate communication, and incomplete cooperation. A sound program, even one purely of assistance to police, would not encourage this fragmentation by giving funds to local agencies, since, as the President's Commission on Law Enforcement pointed out, one of the major problems of law enforcement is its diffusion.

"The machinery of law enforcement in this country is fragmented, complicated, and frequently overlapping. America is essentially a nation of small police forces, each operating independently within the limits of its jurisdiction. The boundaries that define and limit police operations do not hinder the movement of criminals, of course. They can and do take advantage of ancient political and geographic boundaries, which often give them sanctuary from effective police activity."

A serious program of law enforcement assistance will promote at least pooling of police departments in the major metropolitan areas. The President's Commission recommended this, and there really cannot be a question of doing it. Regionalization, sharing of facilities and services, and realistic planning are going to occur. The real question is who will decide how and which combinations will take place. Cities, even those with a population of 50,000, cannot do it.

²¹ Based on figures given by Newman, *op. cit.* pp. 133-135.

²² Honey, *Communism in North Vietnam*, pp. 12-13.

²³ As quoted in Buttinger, Joseph, *The Smaller Dragon*, (Praeger: New York, 1958), p. 468.

²⁴ Fall, *The Two Vietnams* p. 115, also Newman, *op. cit.* p. 140.

²⁵ Hoang Van Chi, *op. cit.* p. 166.

²⁶ Newman, *Background to Vietnam*, p. 140-141.

²⁷ Nixon, Richard M., "Asia After Vietnam", *Foreign Affairs*, October 1967, Vol. 45, Number 1, p. 119.

²⁸ Zinn, Howard, *Vietnam: The Logic of Withdrawal*, p. 86.

Metropolitan areas are beyond the jurisdiction of cities. It must be done either by the state or Federal governments.

The Administration's new bill would leave this decision to the Attorney General and the 331 cities with populations over 50,000. For the law enforcement agencies serving the other 58 per cent of the population, state governments would make the decisions. The bill passed by the House would leave to the state planning body the decision in all jurisdictions. To choose between these it is necessary to look beyond law enforcement, narrowly construed, to see it as what it is, part of a larger system.

Few believe that effective police action and vigorous prosecution alone deter crime. Equally important in crime control is improving the institutions which are responsible for preventing convicted criminals from committing crimes again. This fact—that law enforcement and criminal justice agencies do not exist in isolation, but are part of a system—is the central theme of the multi-volume report of the President's Commission. It can be illustrated easily.

When a crime is committed and the police called, the major responsibility for investigation and apprehension belongs to the local police department. It may ask for laboratory and criminal identification assistance from the state police, and assistance in apprehension if it believes the suspect may have fled the city. But even if the arrest is made by the city police, if the crime committed violated a state law (and all felonies and most misdemeanors are state law), the suspect will be prosecuted by a state prosecutor in a state court. If convicted, he may be committed to a state institution, and given occupational training by the state education system. (Or if placed on probation, he will be in a state system.) When his term ends, he will be released into the state parole system, and the state employment service will help him find a job. The Federal government cannot possibly supervise all these agencies. The city does not have jurisdiction over all of them. But the state does.

It is widely argued that the states have no responsibility or experience in law enforcement, and are not equipped to plan and administer such programs. But if law enforcement is seen as part of a larger system, the importance of state government becomes clearer. All states run prison and parole systems. Forty-five states operate or subsidize adult courts and probation, and fifty control the bail and justice-of-the-peace systems. Juvenile and criminal courts are state courts. All fifty states have systems of prosecution. In forty-seven states the Attorney General is the chief law enforcement official, and has broad authority.

The possibilities for productive state action are unlimited. Whereas funds given directly to cities or counties might permit them to build new jails, a state-operated regional detention center would meet the needs both of that city and other towns nearby. Whereas assistance directly to cities can reinforce the disparity of sentencing within states, funds to states can be used to establish state training institutions for judges and local probation staff to attack the disparity, and to increase use of non-institutional services. State administration of jails can free local law enforcement personnel to do law enforcement work. State administration permits construction of small correctional centers near communities with industries and colleges to develop training, education, and work release programs both for people confined and people on probation or parole.

Even in law enforcement, narrowly confined, the states have great responsibility. They determine the division of police responsibilities among jurisdictions and agencies, and decide what will be done by the state police, county sheriffs, and city, township, borough, and village police. They define by law the permissible behavior of police

dealing with suspects. Moreover it is not true, as many contend, that the direct law enforcement responsibility of states is limited to traffic control. Twenty-eight states have programs of police training. In Connecticut, the State Municipal Police Academy trains all police. Increasing numbers of states are adopting the Model Police Standards Code, and, as in Oregon, are setting standards for local forces in the state. The Governor of Maryland, concerned about local inability to solve growing problems and support new programs developed a state assistance program for local police. Thirty-one states operate criminal identification bureaus and laboratory facilities, which provide assistance in crime scene and other analysis to local police. The Michigan Attorney General and State Police are developing a cooperative attack on organized crime. Both have created special units, and their jurisdiction includes Detroit. New York has established a state criminal identification and intelligence system to make information instantly available to local police. The California Department of Justice has operated a similar system for many years. State responsibility in law enforcement is growing steadily and rapidly.

As the state role in law enforcement has expanded, so has interstate cooperation. All fifty states have long belonged to the Interstate Compact for the Supervision of Parolees and Probationers. Nearly all the states have now joined a similar compact for juvenile offenders. Twenty states have ratified an agreement on detainers lodged against prisoners in other states, making possible speedy trials for multiple offenders. Twelve western states and all six New England states are members of regional corrections compacts. Four of the New England states have formed a police compact to provide for central collection of police intelligence and mutual aid. New England also has a well-developed cooperative program for advanced training of state police officers.

The development of interstate cooperation in law enforcement should be encouraged by the Federal government. Some sparsely populated states, for example, do not need individual criminal intelligence bureaus. But regional bureaus to which all could belong by computer would be economically feasible and professionally desirable. The list of productive interstate cooperation is endless; and none of it would be possible in a program which gives primary emphasis to cities.

So the states do have a strong role in law enforcement, as well as courts and corrections; and their role is constructive and should be encouraged. Some say that the states are ill-prepared to plan law enforcement and criminal justice assistance programs. In many cases, states are less prepared than large cities, which have far more planning experience. (It should be pointed out that the smaller cities, those of 50,000 to 250,000, have little capacity to do high quality planning because they have difficulty competing for trained personnel, their problems are not as serious, and they are not as experienced.) But the fact is that in law enforcement and criminal justice, few governments are really prepared now to plan.

All fifty states have some sort of vehicle for administering local planning assistance. Two-thirds of the states make some contribution, financial or technical, to local planning. In some cases, the state's participation is impressive. The Governor of Iowa, for example, has established sixteen regions, through which all state programs are to be administered. By November, the state will have the capacity to do detailed planning in all sixteen. In fiscal 1967, the Department of Housing and Urban Development gave \$4 million to twenty states for state-wide planning. In the opinion of one HUD official, "States are gradually gearing up to do effective state-wide comprehensive planning. My rough judgment is that ten states developed a ca-

capacity to do good work between 1954 and 1964. Since 1964 thirty additional states have received grants."

More to the point, sixteen states received grants from the Office of Law Enforcement Assistance to establish state-wide planning commissions on law enforcement and criminal justice. Thirty states are now beginning or are engaged in state-wide planning. In Massachusetts, a State Commission, professionally staffed, has been working for six months on its plan. Oregon's legislature established a Crime Control Coordinating Council, chaired by the Governor, which includes all elected and appointed state officials concerned with crime, as well as local officials. Pennsylvania established a crime commission, according to the recommendation of the President's Commission, and is now planning. Illinois's planning is far advanced.

This descriptive survey indicates that the states are not laggards in the field of law enforcement and criminal justice. They are significant in all aspects of crime control, their role is constructive, is growing, and should be encouraged.

NATIONAL ASSOCIATION OF COUNTIES OPPOSES INDUSTRIAL REVENUE BONDS

Mr. RIBICOFF. Mr. President, in the April 1968, issue of the American County Government, the official publication of the National Association of Counties, is an editorial entitled "Industrial Development Bonds: On the Brink." It is an eloquent plea to the Congress—and the House-Senate conferees on the excise tax bill—for congressional action to end a tax loophole which threatens the whole economic fabric of our local governments.

The National Association of Counties states:

Unless the abuse is immediately curbed we will be unable to market our general obligation tax-exempt bonds for schools, hospitals, and other legitimate public purposes.

The editorial continues:

We now find that the only way we can preserve the financial integrity of state and local governments is by supporting national action that preserves our immunity for genuine government purposes and surrenders that immunity for those cases where our cities and counties are forced by economic pressure to allow this immunity to be used by private individuals for the purpose of making private profits at public expense.

It concludes by stating:

It is our fervent hope that the House conferees will agree and come up with an endorsement of a positive and immediate program to eliminate this scandalous abuse.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

INDUSTRIAL DEVELOPMENT BONDS: ON THE BRINK

(By Bernard F. Hillenbrand)

The National Association of Counties is convinced that unless we immediately curb the abusive hemorrhages of industrial development bonds we will be unable to market our general obligation tax exempt bonds for schools, hospitals, and other legitimate public purposes.

In the beginning, industrial development bonds were no problem. Our cities and counties, particularly in the rural South, issued

them for the purpose of building factories and business establishments for companies that would not otherwise have located in their area.

While the factory or business was tax exempt and made no direct contribution to the tax base, the company payrolls and other economic activities were definitely beneficial to the community.

All this is now changed. In the first place, some forty states now authorize their cities and counties to issue industrial development bonds (either general obligation or revenue). The result is that, like green stamps at the grocery store, they offer no competitive advantage since almost everyone uses them.

In the past year, however, the careful self-discipline and restraint of major businesses themselves has given way to competitive pressures and economic feasibility. In other words, some of the nation's largest and most affluent companies are now using tax exempt industrial development bonds to build huge factories and industrial complexes. Incredible as it seems, foreign corporations are also getting our cities and counties to issue tax exempt industrial development bonds and, of course, the major economic benefit will accrue to businessmen who are not even residents of the U.S.

NACO has traditionally taken the position that a tax exempt industrial development bond issue, marketed in the name of a city or county but primarily of benefit to a private business, is a corruption of the municipal bond tax immunity provided by the Constitution.

This association has vigorously applauded the stand of the U.S. Treasury Department, which issued tentative regulation effective March 15, 1968, which would outlaw any new industrial development bonds. The Treasury wisely provided for a transition period to eliminate hardships caused when a community was already in the advanced stages of marketing an issue of industrial development bonds.

The reaction in the United States Senate was swift. The body passed an excise tax bill amendment proposed by Senator Carl Curtis (R-Nebr.). The Curtis Amendment would make the Treasury regulation null and void on the grounds that any action in this area should be handled legislatively and not administratively. The Senate then passed a bill offered by Senator Abraham Ribicoff (D-Conn.) which would outlaw most industrial development bonds.

In doing this, the Senate was saying that the Treasury had acted indiscreetly and usurped a Congressional legislative prerogative. At the same time, the Senate obviously agreed with the basic validity of the Treasury position and passed its own bill to outlaw these bonds. At this writing, the matter is now up for negotiation between a Senate and House Conference Committee.

It is our hope that either the Ribicoff bill or the Treasury regulation itself will become operative and operative immediately. To reopen the doors and allow a whole new flood of industrial development bonds would be, in our opinion, a formula for disaster and a major threat to the financial solvency of all state and local governments.

We believe the only equitable way to control industrial development bonds is on the national level. It is simply not possible for and too much to ask of an individual state to regulate these bonds because each state is in fierce economic competition with its sister states.

We strongly favor outlawing all these bonds at the same time and in the same manner. This would mean that no business or industry could threaten to relocate a plant in another community because the other community would have the right to issue tax exempt development bonds.

It must be kept in mind, however, that

there is nothing in either the Treasury regulations or the Ribicoff bill that would prohibit any city or county from issuing industrial development bonds that are taxable. The legislation and the regulation both prohibit the tax exempt feature of the bonds but would not in any way affect the right of cities and counties to issue taxable bonds for these programs.

It is also important to remember that both the Treasury regulation and the Ribicoff bill would continue the tax exempt feature of local bonds for legitimate public purposes such as schools, public hospitals, stadiums, parking facilities, transportation facilities, and utilities. Such bonds will still be tax exempt.

There is also the possibility that Congress could institute overall control of industrial development bonds by placing a limitation on the total dollar value of approvable bonds that could be blessed with the tax exemption. This, in effect, would be admitting that the bonds themselves are not legitimate but that because of other public considerations we will allow them to be issued in small denominations.

There is, of course, massive irony in our position. The National Association of Counties has dedicated itself to preserving the Constitutional tax immunity of our city and county bonds. We suddenly find that the only way this can be accomplished is through a national action that curbs the obvious abuses of this sacred principle of tax immunity within our American federal system. We have traditionally supported the idea that the states (and by delegation their political subdivisions) share in the sovereignty of government. One of the keys to the preservation of that sovereignty is the right of states to issue bonds that are immune from taxation—and hence control—by the national government.

We now find that the only way we can preserve the financial integrity of state and local governments is by supporting national action that preserves our immunity for genuine governmental purposes and surrenders that immunity for those cases where our cities and counties are forced by economic pressures to allow this immunity to be used by private individuals for the purpose of making private profits at public expense. We believe that both the Treasury of the United States and the Senate of the United States have acted wisely. It is our fervent hope that the House conferees will agree and come up with an endorsement of a positive and immediate program to eliminate this scandalous abuse.

THE PUBLIC: CAUGHT BETWEEN CRIME AND THE COURTS

Mr. BENNETT. Mr. President, Americans are concerned about crime. Recent figures have indicated a shocking rise in the crime rate. While I am speaking today, almost 200 serious crimes will be committed. Nearly 30 automobiles will be stolen, 15 assaults, 10 robberies, two forcible rapes, and one murder will be committed. Compared with the population increase of 9 percent since 1960, crime has increased 62 percent in the same period, and 1967 figures are running about 16 percent ahead of the previous year.

In addition to this crime perpetrated upon society, there is a hard-core structure of organized crime. J. Edgar Hoover's 1966 testimony to the House of Representatives Appropriations Subcommittee stated:

La Cosa Nostra is the largest organization of the criminal underworld in this country, very closely organized and strictly disci-

plined. They have committed almost every crime under the sun.

Organized crime as a whole has an annual income in excess of \$8 billion. The syndicates use every modern method and technological advance to gain their profit, and then invest the money in legitimate business and industry through front organizations.

A large portion of the American public is viewing with equal alarm recent decisions of the U.S. Supreme Court. People are questioning the rulings, which appear to the layman as restraints upon the law enforcement agencies and expanded protection for the criminal. I join those who are concerned about the problem of crime, and echo the fear of millions afraid to walk a city street or regard their fellowman with anything but suspicion and concern for their own life and property.

The Supreme Court seems to be creating confusion and uncertainty in the minds of the people as to just what the law really is, and how far it goes. The scope of society to act for its own protection is being reduced, while the technical area of the law protecting the criminal is being increased. But where will it all end? What price must the people of America pay for their own guaranteed, personal freedom and protection under the Constitution?

DISSENT IN THE COURTS

Not only the public, but law-enforcement officers charged with protecting society are confused about the law, and the courts themselves are divided. Most of the decisions which have changed our laws were far from unanimous. Indeed, many of them were 5-to-4 decisions; a bare majority, yet this slim majority controls and shapes the future of our legal system.

Criminals are being released in the courts today because of an extension of the right to counsel into any investigative procedure prior to judicial proceedings. Other decisions have considerably restrained police efforts to prevent the use of public communication for the furtherance of criminal activity by sharply restricting the use of electronic surveillance devices. Pornography and obscenity are still another area where the court is allowing more permissive activity.

Citizens are concerned about crime, and puzzled by the decisions of the courts. But the public is not alone in questioning the propriety of the decisions. On the question of confessions and the right to counsel, it was not a worried citizen in a far-off State, but Mr. Justice Harlan of the Supreme Court, dissenting in the *Miranda* case, who said:

How much harm this decision will inflict on law enforcement cannot fairly be predicted with accuracy. . . . We do know that . . . the Court is taking a real risk with society's welfare in imposing its new regime on the country. The social costs of crime are too great to call the new rules anything but a hazardous experimentation.

Again, Mr. Justice Stewart dissenting in the landmark *Escobedo* case, said:

Supported by no stronger authority than its own rhetoric, the Court today converts a routine police investigation of an unsolved murder into a distorted analogue of a judi-

cial trial . . . By doing so, I think the Court perverts those previous constitutional guarantees, and frustrates the vital interests of society in preserving the legitimate and proper function of honest and purposeful police investigation.

These recent decisions restricting responsible police investigation and questioning of suspects may cause injury to innocent people. The chief justice of the Supreme Court of California said in a recent speech:

So rudely turned are the tables that the police must now confront any suspect with diffidence, instead of the other way round. There can be real damage to an innocent suspect in consequence. It sometime happens that an innocent person is arrested lawfully, though in error; he can be promptly released only if the police have some latitude to question him and in that way learn that he should be released. To constrain reasonable questioning may work to constrain the innocent.

And what of the difficulties in dealing with organized crime? One would hope that the police could use the modern means of technology to help combat syndicated crime, such as criminals use to commit, plan, and coordinate their activities. Here again recent Supreme Court decisions have limited the law enforcement officers in their use of electronic surveillance devices. While the constitutional rights of all Americans are important, there must be a balance so that society does not have to allow crime to go unchecked because of an inability to convict those guilty in courts of law.

In this period when America is trying to correct some of the plights of urban communities, the Supreme Court has held that the ordinary use of local police power to inspect dwellings for fire and health hazards is a violation of the fourth amendment. No longer may public servants seek to correct hazards which may prevent fires or serious illness to citizens unless they are forearmed with search warrants describing the exact place to be inspected and things to be taken or required to be repaired. Mr. Justice Clark's dissent in the Camara case reflected the appropriate words of Mr. Justice Douglas written earlier:

Miserable and disreputable housing conditions may do more than spread disease and crime and immorality. They may also suffocate the spirit by reducing those who may live there to the status of cattle. They may indeed make living an almost insufferable burden.

POSITIVE ACTION NEEDED

In other areas the Supreme Court has stricken down the laws which were designed to protect the security of the Nation. It has been ruled that Communists, and others dedicated to the overthrow of the Government, cannot be kept from employment in positions and industries necessary to national security. During this time of open conflict with Communist aggression, I cosponsored the Internal Security Act of 1968. Responsible, positive legislation is needed to fill the gaps left by the laws stricken down by the courts. Congress should act to stabilize the law and remove the confusion existing today.

The Internal Security Act helps provide effective frameworks from which we

can protect the security of this Nation while safeguarding individual liberty. In a modern world with new political developments, it is necessary to reassess our security needs and redefine those actions which violate that security. This act seeks to update our needs to the cold war realities and necessities by providing standards for measuring treason and aid or comfort to the enemy in the light of current world conditions. To do less than this would be an injustice to those Americans fighting and dying to protect our Nation.

I was pleased last year when a bill I cosponsored was enacted in October, Public Law 90-100, creating the Commission on Obscenity and Pornography, was a positive step toward providing effective control over the widespread distribution and availability of pornographic material.

The courts must respond to the realities and needs of modern society, and protect America from the spiral of crime. Legislators must act to provide responsive, constitutional laws which will assure protection of individual liberty as well as the rights of society to protection under the laws.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

DISPOSAL OF PLATINUM

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 934, H.R. 5789.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5789) to authorize the disposal of platinum from the national stockpile and the supplemental stockpile.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. WILLIAMS of Delaware. Mr. President, I call up my amendment No. 521.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

AMENDMENT NO. 521

The ASSISTANT LEGISLATIVE CLERK. The Senator from Delaware [Mr. WILLIAMS] proposes an amendment, as follows:

On page 1, line 4, strike out "by negotiation or otherwise" and insert in lieu thereof "by public advertising for bids and sale to the highest responsible bidder".

Mr. WILLIAMS of Delaware. Mr. President, the purpose of this amendment is very simple. When the materials in this stockpile were purchased the Government paid the going market price, and in many instances more than the market price. In fact, I have referred on numerous occasions to the manner in which this stockpiling program has been turned into a price support program for the respective minerals.

I do not say that was true with regard to platinum, the item with which we are dealing at the present moment; however, it is true with regard to many minerals purchased under the stockpile program. In every case the Government paid the going market price or more. There were no bargains passed on to the Federal Government.

Likewise, I think that when the Government sells these minerals which are declared excess to national defense needs, the Government should sell them to the highest bidder and get the most it can for them.

In this particular case platinum is selling at around \$230 an ounce; however, I understand it cost the Government about \$80 an ounce.

It has been called to my attention that the plan of the committee bill was to sell this material on a negotiated basis at around \$109 to \$114 an ounce with the idea that it would be fed into the economy through about 100 selected dealers. Why? By what line of reasoning can anyone justify this \$15 million windfall? This is not even the Christmas season.

Why should the Government do that when it has a potential profit of around \$15 million? What is wrong with the Federal Government's making some money on the minerals which, as a result of war, have substantially increased in price?

I do not recall any instance where when the price of a material has declined the industry has come along and said, "We will bail the Government out and pay more than the market price because we do not want to see the Government taking a loss." However, as soon as industry discovers that there is a profit to be made it immediately wants to take the profit away from the taxpayers, who have underwritten the program.

My amendment, which I understand is acceptable, merely provides that the Government will advertise and sell this material to the highest responsible bidder.

The suggestion has been made that by dumping on the market at one time 115,000 ounces of platinum, worth at least \$25 million, we would disrupt the market.

There is no provision in the bill nor in existing law which provides that in disposing of these minerals the GSA shall do so in a manner that is disruptive to the orderly marketing of the particular commodity. All it has to do is to sell the particular commodity in smaller lots and gradually feed it into the channels of trade. By so doing it will have the least disruption and at the same time will benefit the Government and the taxpayers through the increased price received.

The difference between selling this through competitive biddings and the negotiated bids provided under the original plan would mean about \$12 million to \$15 million extra profit to the taxpayers.

The argument that this platinum only cost \$80 per troy ounce and the plan to sell it at \$109 to \$114 per ounce represents a \$3 million profit is beside the point.

The prevailing market price today is \$230 per troy ounce. Why sell it at \$15 million below the market price?

Mr. SYMINGTON. Mr. President, the Senate is today considering Calendar No. 934, H.R. 5789, an act to authorize the disposal of platinum from the stockpile and the supplemental stockpile; Calendar No. 1024, H.R. 5785, an act to authorize the disposal of magnesium from the national stockpile; and Calendar No. 1025, H.R. 14367, an act to authorize the disposal of beryl ore from the national stockpile and the supplemental stockpile.

I should like to address myself briefly to each of these measures. They were all carefully considered by the Subcommittee on the National Stockpile and Naval Petroleum Reserves, and reported unanimously by the full Committee on Armed Services.

To begin with, I would present that the Strategic and Critical Materials Stockpiling Act requires that disposals from the national stockpiles be made without disruption of the market of producers, processors, and consumers; and in conducting their disposal sales of around \$3 billion, the General Services Administration has normally viewed competitive selling methods, including sealed bid sales, as the most efficient means of carrying out the intent of the Stockpiling Act. There are circumstances, however, when such a procedure would run contrary to its legal mandate to avoid disruption of the market.

When these situations present themselves, GSA adjusts its selling methods accordingly. For example, sometime ago a procedure was worked out with the aluminum industry to absorb into the normal market channels over a period of years some million tons of aluminum. The alternative to this would have been for GSA to dispose of this commodity—aluminum—in relatively small amounts as the consumer market permitted. This would have involved, of course, a tremendous administrative expense over a much longer period of years.

Traditionally, bills approved by the Congress relating to stockpile disposals have permitted the GSA this flexibility by containing the clause "by negotiation or otherwise." I believe their sales policies have permitted orderly disposals on a fair and equitable basis and what would seem important in the best interest of the consumer. This has been consistent with their obligation under the law to avoid disruption of the markets of producers, processors, and consumers.

Amendments have now been proposed to these pending measures which would preclude the flexibility of sales methods that I have referred to, and would permit these disposals, and I would presume on all proposals hereafter, only by public advertising for bids and sales to the highest responsible bidder.

As mentioned earlier, the GSA has normally viewed competitive selling methods as the most efficient means of carrying out their responsibilities. Certainly I am not opposed to competitive bidding, nor are other members of the committee. Nor shall I oppose the proposed amendments. I do, however, feel a responsibility to point out a few salient factors at this time.

In regard to the bill H.R. 5785, a bill to authorize the disposal of approximately 55,000 short tons of magnesium, and H.R. 14367, relating to the disposal of approximately 9,888 short tons of beryl ore, there is no foreseeable problem as to the method of disposal; and the committee reports indicate that the committee expects both of these commodities will be disposed of on a competitive basis. There are temporary shortages in regard to both materials. Both are in excess of estimated stockpile requirements, and there is urgency in the proposed releases.

Beryl ore is needed badly by those holding contracts for some of our more important missiles and it may be necessary in the near future for the producers of magnesium to go outside the United States to obtain sufficient magnesium to fill their orders.

H.R. 5789 pertains to the disposal of approximately 115,000 troy ounces of platinum. As did the disposal of aluminum, this presents a different problem. Because of the severe shortage of platinum in our domestic industry, along with the heavy speculation currently taking place in the market—platinum is traded on the Commodity Exchange—the disposal of platinum on a competitive bid method was considered by the GSA to be inconsistent with the objectives of the Stockpiling Act, for the following major reasons:

First. Distribution of this platinum, so urgently needed by domestic users, many of whom are defense contractors, would be made on the basis of price, rather than need. Distribution, therefore, could be, and based on my experience, will be inequitable.

Second. Speculators could acquire the material and hold it indefinitely for profiteering purposes, thus denying the use of the very platinum which as of today we all agree is in serious short supply to industry, including the defense industry.

Third. The platinum in question must be refined and converted to usable forms. Thus, the direct sale to other than a refiner would result in abnormal and costly handling of individual small lots.

Fourth. The predisposal conference held with both the platinum industry and those who use platinum, attended by over 100 representatives of all segments of the industry—consumers, dealers, and producer-refiners—resulted in unanimous agreement that the disposal should be carried out by channeling the bulk of the Government platinum through the major domestic producer-refiners. The producer-refiners, after refining the Government material, would couple it with regular production and effect equitable distribution to their normal users.

Fifth. The Stockpiling Act itself requires that disposals from the national stockpile be made without disruption of the markets of producers, processors, and consumers. That is the law. Sealed-bid sale of the platinum in the current unsettled market conditions could be

disruptive, especially to the markets of domestic consumers.

The GSA plan for the disposal of this platinum, which this amendment will change, provides that approximately 90,000 troy ounces of the 115,000 ounces covered by the bill will be sold to the two major producer-refiners. These firms would resell the material to legitimate U.S. consumers on an equitable basis at a price not to exceed the published producer price.

The balance of approximately 25,000 troy ounces would be set aside by GSA for consumer hardship or unusual circumstance cases including the pro rata needs of the small domestic refiner-distributors who might choose to participate.

These refiner-distributors would also be required to agree to distribute the Government material equitably within the United States for domestic consumption at a price not to exceed the published producer price.

The GSA plan would have accomplished equitable distribution of platinum on the basis of their needs rather than on the basis of an artificially stimulated price. It would have kept the platinum out of the hands of the speculators; and would have prevented the use of the Government material in fanning the speculative fires, and therefore increasing inflation.

In closing, I would quote from a letter received recently from an industrial firm, the Owens-Illinois Co., with its headquarters in Todelo, Ohio, and plants all over the United States, because to the best of our knowledge this is the position of all reputable industry:

We are of the opinion that if the entire 115,000 ounces are offered for open bid, industrial users would be competing with open market dealers at a price higher than the \$109 to \$112 price, but that the government would not realize up to the open market value now quoted. These dealers, in turn, would sell in the smaller quantities that industrial users normally buy, and at the higher price. Consequently, any benefits which anyone might see for the government would go instead to dealers and serve only to inflate prices.

Nevertheless, we will accept this amendment to H.R. 5789; and I urge that the Senate pass the three bills in question.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. YOUNG of Ohio. Mr. President, I commend and congratulate the senior Senator from Missouri. As all Senators know, he is a truly great Senator of the United States.

As a member of the Committee on Armed Services, and as a member of the Subcommittee on National Stockpile and Naval Petroleum Reserves, I am glad to attest my deference and devotion to him. It seems to me that the statement he has made today includes everything that need be said and can be said about the matter. The Senator from Missouri is a fine, outstanding chairman of that important subcommittee; and throughout his work as chair-

man, he has rendered a real and needful service to the Nation and in the defense of the United States.

Again, I congratulate him, and I am happy to support this measure.

Mr. SYMINGTON. Mr. President, I am very grateful for what my friend the distinguished Senator from Ohio has said this morning. We have not discussed this matter for many weeks. All Senators in the Chamber know that no other Member of this body has more integrity and more courage; and for him to make that statement this morning is very reassuring to me, and I am grateful to him.

Mr. WILLIAMS of Delaware. Mr. President, I appreciate the Senator from Missouri accepting this amendment. I understand and respect his position, and even though we may differ somewhat on occasion, as we do at present, I believe he respects my position.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield. Mr. SYMINGTON. The Senator knows that I respect his position. We do not have to see this matter eye to eye.

Mr. WILLIAMS of Delaware. I feel very strongly that this platinum should be sold at competitive bid. I recognize that the argument has been made that dumping this amount of platinum on the market at one time would mean that only the very large dealers could buy it. But by what line of reasoning does the Government have to dump it all on the market in one block or in the 90,000 troy ounce unit? Nothing prohibits the GSA from marketing this material in exactly the same manner as the Senator from Missouri or I or anyone else would market it if it were our property. We would market it in the manner in which we could get the highest dollar for it, and that would be by breaking it down into small lots and spreading the liquidation over a longer period of time. I talked with representatives of the GSA about this, and they said it could be done.

With respect to this action being disruptive to the quoted market today, which I believe is around \$232 per troy ounce, certainly it will have some disruptive effect on the market. That is natural. Certainly feeding 115,000 troy ounces into the market, with a market valuation of \$25 or \$30 million, will have a disruptive effect. But that is true with respect to every commodity, whether it be minerals, agricultural products, or whatever, that are stockpiled by the U.S. Government. When the Government moves these stockpiled commodities—corn, wheat, grain, sorghum, dry milk, minerals, or whatever—into the market process of this country it does have a dampening effect on the market.

But does the Government have an interest in protecting this speculator's market or in keeping it at its existing high level?

Why should we single out one group of manufacturers who are using these minerals and say we do not want to disrupt their market? But to sell it to these people at about \$110 per ounce less than the

market price will have a disruptive effect on the American taxpayers.

The argument has been made that members of the industry, approximately 100 of them, had met and unanimously approved the method of getting rid of this platinum at the negotiated price of \$109 to \$114, which is \$100 per ounce below the prevailing market price. I would be amazed if they were not unanimous. Many of them contacted my office and urged adoption of this sale at the reduced price. And why not? For every ounce of platinum they get they will save \$100. Certainly, they are unanimous in accepting such a windfall. When \$12 or \$15 million bargains are given out to any industry the members of that industry will be unanimous in their acceptance. But what about the taxpayers, who own this commodity?

If we are going to get rid of our stockpiles in any such unbusinesslike manner it will be a rather expensive operation.

As the Senator from Missouri has pointed out, the GSA has approved the adoption of these amendments to the bill dealing with magnesium and the bill dealing with beryl. That is what they plan to do anyway with these two commodities. But why not apply the same rule to platinum where we really have a profit? The adoption of my amendment will change the plan so far as platinum is concerned, but by changing that practice and selling at prevailing market prices the taxpayers will pick up approximately \$15 million.

I am perfectly willing to vote on these amendments in order.

Mr. SYMINGTON. Mr. President, for the RECORD, I read this memorandum, which was compiled by the staff:

[In troy ounces]

Platinum in Government stockpiles:	
Total inventory.....	450,000
Stockpile objective.....	335,000
Excess	115,000

The excess platinum cost the Government approximately \$79.52 per troy ounce for a total cost of \$9,144,800. Under the GSA plan, it would be disposed of at the current market price of \$114 per troy ounce for a total sales price of \$13,110,000. This would be approximately a \$4 million profit to the Government.

If the platinum were sold by sealed bids, it would bring somewhere in between the normal industrial market price of \$114 per troy ounce and the so-called dealer or merchant market price of \$225 to \$236 per ounce. It is GSA's best estimate that it would probably bring about \$150 per troy ounce, for a return of \$17,250,000.

Therefore, under this proposal, there would come to the Government about \$4 million more.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Delaware. [Putting the question.]

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be en-

grossed, and the bill to be read a third time.

The bill (H.R. 5789) was read the third time, and passed.

DISPOSAL OF MAGNESIUM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the considerations of Calendar No. 1024, H.R. 5785.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5785) to authorize the disposal of magnesium from the national stockpile.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 694

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment, and ask that it be stated.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk read as follows:

On page 1, line 4, strike out "by negotiation or otherwise" and insert in lieu thereof "by public advertising for bids and sale to the highest responsible bidder".

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 5785) was read the third time, and passed.

DISPOSAL OF BERYL ORE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1025, H.R. 14367.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 14367) to authorize the disposal of beryl ore from the national stockpile and the supplemental stockpile.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 695

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment and ask that it be stated.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk read as follows:

On page 1, line 4, strike out "by negotiation or otherwise" and insert in lieu thereof "by public advertising for bids and sale to the highest responsible bidder".

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 14367) was read the third time, and passed.

NATIONAL POTATO LABELING ACT— TRANSFER OF BILL FROM GENERAL ORDERS TO SUBJECTS ON THE TABLE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 928, S. 562, be taken from the Calendar of General Orders of business and ordered to lie on the table and be placed under Subjects on the Table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, for the information of the Senate, any time this bill is to be called up, it can be called up from its present position.

EXTENSION OF THE ADDITIONAL SENATE OFFICE BUILDING SITE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 719, S. 2484.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2484) to authorize the extension of the additional Senate Office Building site.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with an amendment, on page 2, line 10, after the word "Act", strike out, "entitled 'An Act to provide for the acquisition of land in the District of Columbia for the use of the United States', approved March 1, 1929 (16 D.C. Code, secs. 619-644)", and insert "of December 23, 1963 (16 D.C. Code, secs. 1351-1368)"; so as to make the bill read:

S. 2484

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol, under the direction of the Senate Office Building Commission, is hereby authorized to acquire on behalf of the United States, in addition to the real property heretofore acquired as a site for an additional office building for the United States Senate under the provisions of the Second Deficiency Appropriation Act, 1948, approved June 25, 1948 (62 Stat. 1028) and Public Law 85-591, approved August 6, 1958 (72 Stat. 495-496), by purchase, condemnation, transfer, or otherwise, for purposes of extension of such site, all publicly or privately owned property contained in lots 863, 864, 892, 893, 894, and 905 in said square

725 in the District of Columbia, and all alleys or parts of alleys and streets contained within the curblines surrounding such square, as such square appears on the records in the office of the surveyor of the District of Columbia as of the date of the approval of this Act.

(b) Any proceeding for condemnation brought under subsection (a) shall be conducted in accordance with the Act of December 23, 1963 (16 D.C. Code, secs. 1351-1368).

(c) Notwithstanding any other provision of law, any real property owned by the United States and any alleys or parts of alleys and streets contained within the curblines surrounding square 725 shall, upon request of the Architect of the Capitol, made with the approval of the Senate Office Building Commission, be transferred to the jurisdiction and control of the Architect of the Capitol, and any alleys or parts of alleys or streets contained within the curblines of said square shall be closed and vacated by the Commissioners of the District of Columbia in accordance with any request therefor made by the Architect of the Capitol with the approval of such Commission. Effective on the effective date of this Act or on the effective date of part IV of Reorganization Plan Numbered 3 of 1967, whichever is later, the functions vested in the Commissioners of the District of Columbia by this subsection shall be deemed to be vested in the Commissioner appointed pursuant to part III of such plan.

(d) Upon acquisition of any real property pursuant to this Act, the Architect of the Capitol, when directed by the Senate Office Building Commission to so act, is authorized to provide for the demolition and/or removal of any buildings or other structures on, or constituting a part of, such property and, pending demolition, to use the property for Government purposes or to lease any or all of such property for such periods and under such terms and conditions as he may deem most advantageous to the United States and to incur any necessary expenses in connection therewith.

(e) The jurisdiction of the Capitol Police shall extend over any real property acquired under this Act and such property shall become a part of the United States Capitol Grounds.

SEC. 2. For carrying out the purposes of this Act, there is hereby authorized to be appropriated \$1,250,000. The Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this Act.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BAKER in the chair). Without objection, it is so ordered.

Mr. JORDAN of North Carolina. Mr. President, as chairman of the Committee on Rules and Administration, office space on the Senate side of the Capitol in the two Senate Office Buildings comes under my committee. It has been the task of our committee ever since I have been the chairman to work out space for Senators who need space and for the committees which need space in these two office buildings and the Capitol.

As a great many Senators know, the

space has been very tight for several years. Additional space has not been available because there was no space available. Senators have been and are crowded badly. They need more space, and there are a great many reasons why this is so.

I recently made a survey in my office. Next week I shall have been here 10 years. We made a thorough check of our correspondence and it has grown from threefold to fivefold in that period of time. In addition, we have many visitors who come here from the many States who are interested in legislation. This morning I had a visit from a delegation in connection with aviation, and yesterday I had a visit from a delegation in connection with school problems. I know that every other Senator has similar problems.

In order to definitely determine how many people need space and how much space is needed, in the latter part of last year I sent a questionnaire to every Senator asking if he needed additional space and, if so, how much additional space was needed. Responses were received from 72 out of 100 Senators indicating a need for additional space. Among Senators who are chairmen of full committees or subcommittees, 25 Senators responded, and I have their names. It is quite evident that if 72 out of 100 Senators need space and 25 Senators who are chairmen of subcommittees or full committees need additional space, the situation is serious. I have spent many hours and days with Senators in going over the situation. However, I can only sympathize with Senators because we have no additional space to allocate.

There is contained in the reorganization bill, which I assume will become law sooner or later, provision for the establishment of a Committee on Veterans Affairs. One of the things that has concerned us in connection with the establishment of that committee is where it will be located, for there is no space available whatever.

After hearing from so many Senators with respect to the need for additional space—and a few said they did not need additional space—we held hearings. A number of Senators appeared and testified with respect to the number of people they have on their staffs and the additional space that would be required for staff members. We had no one testify they did not need space. Everyone who came in and testified said he did need additional space.

Mr. President, I am not in favor of spending any more money than we need to spend. I know that money does not come easily. We do not want to build new buildings. The land covered by this bill is in square 725, and it takes in all parts of the alleys and streets and the curblines. Included in the property is the Schotts Alley property which has an apartment on it and the Capitol Hill Apartment.

A rather exhaustive study was made of the Capitol Hill Apartment Building which is adjacent to the New Senate Office Building, where one drives down to go into the garage. It is approximately

30 feet from the Senate Office Building. We are told by the engineers that it would be very easy, and not expensive, to build ramps from the new office building to the apartments, in order to provide space in that building for immediate use, since occupancy could be secured. We would propose to keep on renting the property, or as much of the property as would be deemed to be wise and unnecessary to use.

We have checked and find that there are a number of subcommittees, a number of file rooms, and other things that could be moved into that building—which has elevators, meets all fire standards, and has air conditioning in its windows. So that it would not be a bad piece of property to loosen up the space situation right away.

We have been checking on the value of property in this whole area and are finding not only there, but throughout the District of Columbia, as well as surrounding areas, that the value of property is rapidly increasing. The site across the street by the Methodist building upon which the Reserve officers constructed their new building, sold for \$45.62 a square foot. That is an expensive piece of property. Thus, property is going up all the time. I am told that nearly \$1 million was spent on refurbishing, rebuilding, and remodeling the old Carroll Arms Hotel. The Government owns the major part of the land in that particular block at the present time.

We are not ready to build on this land, but we do need to acquire it so that we can have access to a part of the Capitol Hill Apartment building immediately. If we do not act now, it is conceivable that they may remodel those apartments and add another \$500,000, \$200,000, or whatever it might be, on to the price that we would have to pay for it today.

The bill provides for an authorization to spend up to \$1,250,000. That is the best estimate we can get from the real estate people for which the property could be purchased. I believe that we should go ahead and buy it and get it into the hands of the Government, because that is the only property on which we can expand, and it should therefore be in the hands of the Government.

Mr. FONG. Mr. President, will the Senator from North Carolina yield?

Mr. JORDAN of North Carolina. I yield.

Mr. FONG. Speaking for this side of the aisle, and speaking as a member of the committee, I heartily endorse the pending bill because it will give us sufficient land on which to build additional office space for Senators who are so badly in need of office space right now.

The New Senate Office Building has been filled to capacity since it first was occupied in 1958. I came to the Senate in 1959, and since then my office workload has increased fourfold. I have had to hire more employees to handle the increased volume of work. With the space allotted to me, my staff is overcrowded to an intolerable degree. There is insufficient space to accommodate more than a handful of constituents in my reception room.

When the bill was before us last August, we circulated a letter to all Senators. Twelve came to speak before the subcommittee on the subject, and 14 submitted statements that they were badly in need of office space. After the letter had had time to circulate to all Senators, we found that 72 of them needed more office space. Twenty-six committee and subcommittee chairmen declared that they also need more office space.

It is appalling for Senate offices and Senate committee offices to have to work under their present, cramped conditions. For example, in my office the members of my staff keep falling over each other because there is not enough office space for them in which to work, or for the desks, files, and machinery necessary to run an office.

The bill authorizes an appropriation in the sum of \$1,250,000 for the proposed land acquisition, which is not a large sum. If we do not buy the land now, it will be increasing in value as the years go by.

I remember reading an account of George Washington encouraging his nephew to buy land back in 1776. He told his nephew that he had better start buying land because with the pressure of population, land value was going to increase. That was nearly 200 years ago, and it certainly has been our experience that land in this country has increased in value by leaps and bounds.

Since I came to Washington, I have noticed that land has increased in value in the entire metropolitan area which has a population at present of 2,500,000 people. It is estimated that, by the year 2000, there will be 5 million people living here.

Thus, with that kind of pressure exerted upon the value of land, it will certainly go up. I believe that it would be very wise for us to purchase these parcels of land at this time for the price of approximately \$1,250,000. If we were not to purchase it now, then possibly in later years we will have to pay double that amount.

The committee is not asking that the building be constructed at this time. We understand the stringency of our financial situation at this time, and we recognize it would not be appropriate to ask that the building be erected now. But we do ask that the land be purchased because it is needed, and we should buy it at this time when the price is not so high.

Mr. President, I heartily endorse passage of the bill.

Several Senators addressed the Chair.

Mr. JORDAN of North Carolina. I yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I take this opportunity to congratulate the distinguished chairman of the Subcommittee on Public Works for his efforts in holding the hearings on the pending bill and shepherding it through the Public Works Committee.

I believe that I can speak for the junior Senators of both parties, and for myself, when I say that the conditions under

which we are forcing our staffs to work in the two Senate Office Buildings are uneconomical and ridiculous.

My own situation is not atypical; I see the distinguished Senator from Kansas on the floor; his office space used to be right down the hall from mine, on the sixth floor, and he knows whereof I speak—my office is comprised of six rooms, each approximately 17 by 18 feet, for a total of 306 square feet of floor space. Subtracting areas necessary for opening and closing the doors leading into the legislation section, the total area left for the people in the room, five of them, is 90 square feet—18 feet apiece. The space for each employee is only one-fourth to one-fifth the minimum of 75 to 100 square feet for one person in an ordinary efficient standard office operation.

Mr. President, there is no business in this country—General Motors, Du Pont, the smallest law office—that would permit the inefficiencies and the ridiculous overcrowding that go on in the congressional offices of the Senate of the United States. Every time I go into the Executive Offices of our Government and see the adequate and proper housing and working conditions of their staffs, and then come back to mine and see the conditions that our young men and women have to work under—and I refer to Senator BYRD's, and Senator BREWSTER's, and Senator HATFIELD's, and all the offices I happen to visit—it makes me a little angrier. It is cutting off your nose to spite your face.

Those proponents of economy who would economize at the expense of efficient operation of the staffs must bear the responsibility for the ever-increasing weakening of the legislative branch and the ever-increasing strength of the executive branch and the upsetting of the tripartite system of our Government. We properly appropriate funds for the proper working of the judicial and executive branches. This bill to provide adequate quarters for the Senate should have been passed here long ago. There should have been adequate working space for our employees long ago.

I just wish to say to the chairman of the Public Works Committee, the Senator from West Virginia [Mr. RANDOLPH], and the Senator from North Carolina [Mr. JORDAN], that I think not only Senators owe them a debt of gratitude, but the people of the United States do.

My mail load has increased from a handful to hundreds of letters a day in just 4 years. That is not atypical. The same has happened in offices of other Senators. I am sure the Senator from Virginia [Mr. BYRD] sees three times as many constituents as his father did. In order for us to truly represent our people and protect their interests, the least we can do is have adequate conditions for our employees to work under, so they do not have to work under sweatshop conditions.

I certainly congratulate the Senator from North Carolina for his leadership in this field.

Mr. JORDAN of North Carolina. I thank the Senator.

I now yield to the senior Senator from Mississippi.

Mr. STENNIS. Mr. President, I highly commend the Senator and his committee for the way they handled the problems of space and for their patience and endurance. I have no complaint to make. I have been treated all right. But I do have need for space.

I was here when we had a disagreement about whether the new building should be constructed. It is unthinkable now that there should have been disagreement about it, but it had been delayed for a long time.

My work has more than tripled since I started to occupy the space I have now. My employees had to put desks in corridors and anyplace else, wherever they could find room, and people would brush by them all day long.

Even though the chairman has done an excellent job in trying to take care of us, with respect to a small committee, such as the Ethics Committee, we have not had full staff space yet. We are in three separate rooms. We have no place to meet or do our work. I commend him highly for moving further on this bill. I hope nothing will stop it or delay it at all.

I heard what the Senator from Maryland said. Let me emphasize this point. A Senator's office has become a combination of many things, beyond what, in the old days, a Senator had to do. It has numerous executive functions; that is, it has to handle so many things that are pending in the executive branch of the Government. We are overwhelmed by the number of letters we receive. They are legitimate letters. They pertain to Federal questions. We have overwhelming correspondence.

The least we could do would be to provide our constituents with enough room for our office staffs to take care of these matters.

The land is going to cost a great deal of money, but it will cost more next week or next year or later than it will now. We have some intolerable conditions. I know that many of our colleagues are far worse off than I am. We must act here. Otherwise we will be neglecting our duties and responsibilities to the people we represent.

I thank the Senator from North Carolina for yielding to me. I want to assure him that I will remain here as long as the bill is before us. I want to do everything I can do to sustain his position.

Mr. JORDAN of North Carolina. May I ask the Senator a question? Is it not true that the Senator and I have spent several hours trying to find space for the Ethics Committee?

Mr. STENNIS. That is true. The Senator from North Carolina has been magnificent. He has had his staff work on it and has tried to help us in every way.

Mr. JORDAN of North Carolina. Is the committee not located in two or three different places?

Mr. STENNIS. Yes; we are in three places. If I had not had a little "cubby" here in the Capitol, we would not have had a place to meet. I thank the Senator.

Mr. JORDAN of North Carolina. I thank the Senator.

I yield now to the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I wish to join the Senator from Mississippi in commending the distinguished chairman of the Committee on Rules and Administration, the Senator from North Carolina [Mr. JORDAN], and the distinguished chairman of the Public Works Committee, the Senator from West Virginia [Mr. RANDOLPH], on the diligent attention which they have given to trying to provide additional space for Members of the Senate.

I think the Senator from Mississippi [Mr. STENNIS] made an important point when he brought out a moment ago that, if the Senate does need additional space and does need additional land, it is going to be far cheaper to obtain that property now than it will be if we delay a year or 2 years or any other length of time.

I live in a State of 5 million persons, almost 5 million Virginians right here adjacent to the Capital of the United States, and I have a total of five rooms to operate from. All of the people who come to my office in the Senate Office Building must be accommodated in one very small reception room, so small that most of the delegations must remain in the hall and cannot come into the room.

I have adequate allowances for staff. I do not need more money for staff. If necessary, as a matter of fact, I will give back some of my money for the staff. But what I do need, and in talking with other Senators what I find so many Senators need, is more office space, more space where they can conduct the public business.

My mail runs tremendously heavy. The number of visitors coming to my office is increasing all the time.

I emphasize at this point that I want Virginians to come here to the Capital of the United States. I want those that I have the honor to represent in the U.S. Senate to come to the Capital and present their views and present any complaints they may have in regard to government and present any of their thinking in regard to governmental philosophy.

I want to see as many people as possible, but it is very difficult to serve the public interest and to serve the people when the Members of the Senate have such inadequate accommodations in which to conduct the public business.

As I mentioned earlier, Mr. President, I wish to emphasize this point: If it is necessary, from a financial standpoint, to reduce the allowances which Senators are permitted to use for the hiring of staff personnel, I would rather see my allowance reduced and have that money put into additional facilities, where we can better conduct the business of the public.

I support the Senator from North Carolina and the Senator from West Virginia in their endeavors to correct what I think is a very serious situation confronting most of the Members of the Senate.

Mr. STENNIS. Mr. President, will the Senator yield to me for a brief statement, pertinent to what the Senator from Virginia has said?

Mr. JORDAN of North Carolina. I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I commend the Senator from Virginia for an excellent statement. He included a point that is also pertinent in my case. I do not want or need more money for staff hire; I turn back some now. But I do not have room for the staff I have to work efficiently. That is the need. I think many of us are in the same category. We could help pay for the extra space with the money we turn back in.

Mr. BYRD of Virginia. Mr. President, if the Senator from North Carolina will permit me to make this further statement, I believe the Senator from Mississippi has hit a key point in emphasizing the need for space, not additional clerk hire.

We are not trying to increase the cost of Government. We are trying to arrange for the Members of the Senate to have adequate facilities to do the job they are sent here to do. I submit that when you represent a State of nearly 5 million people, and have only five relatively small rooms in which to conduct all of their business, more space is severely needed.

Mr. JORDAN of North Carolina. I thank the Senator from Virginia.

Mr. PROXMIER. Mr. President, will the Senator yield?

Mr. JORDAN of North Carolina. I have agreed to yield first to the Senator from Alaska. After he finishes, I shall be happy to yield to the Senator from Wisconsin.

Mr. BARTLETT. I thank the distinguished Senator from North Carolina. I believe that in bringing this bill before the Senate today, he is performing a service, ultimately, in behalf of the public itself. I commend him and the members of the Committee on Public Works for reporting this bill.

I think they are rather courageous, as it were, in presenting it to the Senate in times such as these. I am sure that the public, or at least certain sections of the public without adequate knowledge of the situation, may be aghast at the idea that the Senate proposes to spend more money to build more office space. But after all, Mr. President, if we are to operate with the efficiency we ought to, certainly it is most unwise to have our staff members all cramped up together.

I, too, have five rooms, as does the Senator from Virginia. He represents approximately 5 million people. Coming from Alaska, I represent fewer than 300,000. Even so, Mr. President, I have 13 or 14 staff members. They are all busy.

When Alaska became a State back in 1959, I moved over to the Senate side of the Capitol after having been delegate from the then Territory of Alaska for 14 years. If my recollection is correct, four or five of us came over to this side of the Capitol from the other side at that time, and we were confident that our burdens here would be much lighter than they had been in the House of Representatives, for two basic reasons.

One was that the grant of statehood

provided that many governmental functions which had theretofore been performed here, when Alaska was a territory—as was also true of Hawaii—were automatically transferred to the State capitals, Juneau in the case of Alaska, and Honolulu in the case of Hawaii.

Before that time, it would not be much of an exaggeration to say that Congress was the city council for Alaska and for Hawaii, because the organic acts under which those territories operated, while they were grants of authority, in a way, in another way, they were not, because there were limitations written all through them as to what the territorial legislatures could not do.

So we knew our burden would be greatly relieved because of this transfer of authority from Washington to Honolulu and to Juneau. There was another—and we thought compelling—reason why we felt our burdens would be lighter. As Delegate, I had to do the total job myself. With statehood, there were three of us; one Representative in the House and two Senators in this body.

What happened? We started out with these four or five people, including myself, and quickly discovered that a Senator is not only a Senator from North Carolina, from Wisconsin, from Virginia, from Hawaii, or whatever State it might be, but he is a Senator of the United States. Our work multiplied at an accelerating rate. As I say, we now have 13 or 14 people. They are too crowded.

Some of those people are well paid, and cannot be expected to—and, in fact, they cannot—perform efficiently, if they do not have a little privacy, if their desks immediately adjoin those of other persons; and we are doing the people of the United States a distinct disservice in not providing ourselves with adequate office space.

I heard the statements of the Senator from Virginia and the Senator from Mississippi, and I applauded them for stating they do not necessarily need all their clerk hire, and that in order to provide some of the money which additional office space for the Senate would require, they would even be willing to turn back part of their clerk hire.

I am sure that they are among the few in that happy situation. All of us know that some Senators have to hire, out of their own private purses, additional people.

They simply do not receive enough money under the existing law to have the size staff to do the kind of job required at the present time for their individual States.

Mr. President, I join with all the other proponents of the pending measure in expressing the hope that we will speedily pass the bill and that appropriate action will thereafter be taken to correct the situation which, in my judgment, leaves much to be desired.

I thank the Senator from North Carolina.

Mr. FONG. Mr. President, will the Senator yield?

Mr. JORDAN of North Carolina. I yield to the Senator from Hawaii.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. PROXMIRE. Mr. President, I ask the distinguished Senator from North Carolina whether there is any notion as to when the addition to the New Senate Office Building for which the land is being procured may be completed.

Mr. JORDAN of North Carolina. There is no present prospect of building the addition, regardless of how badly it is needed. We do feel, however, that we need to get the land so that we will have it to build on when conditions permit.

As the Senator probably knows, the present building was built with the idea that it would be finished at some future date on that land. However, we have no plans to do that now.

We know that we can take the Capitol Hill Apartments and use part of the building now as soon as tenants can be moved out. That space can be put to good use. It is usable space. It is easy to get to. It is right next to us. It would not disadvantage anybody because it could be done very easily. However, we do not plan to introduce legislation to build a building in the very near future.

Mr. PROXMIRE. Mr. President, it is hard to get this information from reading the report, but how many square feet are involved?

Mr. JORDAN of North Carolina. There are six parcels of land that do not belong to the Federal Government. It involves 31,644 square feet.

Mr. PROXMIRE. Why is the cost of this project so great? It seems to be a tremendous cost for a relatively small area. The cost has been mentioned as being \$1,250,000. Is it based on the cost of similar land in this area, and, if so, is it documented?

Mr. JORDAN of North Carolina. Mr. President, the Reserve Officers Building is across the street. That land was acquired for \$45.62 a square foot.

This land has two buildings on it. One of the buildings would not be used for our purposes, but the other one could be used for the time being. Of course, it would have to be eventually torn down.

Mr. PROXMIRE. Will the land be acquired by some kind of condemnation proceedings?

Mr. JORDAN of North Carolina. If necessary. We also checked the assessed valuation of this land.

Mr. PROXMIRE. Virtually all of the argument so far in favor of purchasing the land at this time, in view of the fact that there are no plans for the construction of a building, is that the cost of the land is increasing all the time and that if we postpone the purchase of this land it will cost much more in the future.

Has there been any documentation or estimate to show how rapidly the cost of land has been increasing in this area?

Mr. JORDAN of North Carolina. I have been told that it has been increasing at the rate of about 5 percent a year.

Mr. PROXMIRE. That gives me a little hesitation.

Mr. JORDAN of North Carolina. It has risen even higher than that in some localities.

Mr. PROXMIRE. If it is increasing

at the rate of 5 percent or even 10 percent a year, I would be very hesitant because all the testimony before the Joint Economic Committee is to the effect that when the Federal Government takes money out of the private sector, it takes out funds which will earn a return of 12 percent a year before taxes, and that is a fair comparison.

If we take money that is earning 12 percent a year before taxes and invest it in a project which the Senator from North Carolina says will yield 5 percent in terms of savings on land cost—and that is the only reason I have heard advanced so far, plus something for parking, a relatively modest or minor benefit—it seems that it might not be a good investment.

I think it would be very helpful if the Senator from North Carolina and the members of his committee were to consider that fact. After all, we are taking money out of the private sector. This money involves corporate income taxes which, if not taxed, would be reinvested and would earn on the basis of all of the statistics I have seen 12 percent or 15 percent or more. It does not seem that this would be a justifiable investment.

Mr. FONG. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. FONG. Mr. President, I recite to the Senator my experience with a piece of land in the city of Honolulu. Twelve years ago, a corporation of which I am president, bought a piece of land involving 135,000 square feet. The land was purchased by our company for \$465,000. We sold that land just 2 weeks ago for \$1.7 million.

Mr. PROXMIRE. I am sure we can get all kinds of examples involving the increased cost of land in various parts of the world, examples that show a much more rapid increase. We can see examples of increases of 5 percent, 10 percent, or even 20 percent.

My question was directed to this particular land in Washington, D.C., a relatively few feet from where we are now. I have received the answer that that land is increasing at the rate of 5 percent a year or perhaps more. That is what we would have to be guided by, rather than the increasing cost of land in Hawaii, Alaska, or any other State.

Mr. FONG. Land is increasing in value all over the United States. We find everywhere that there are increases in land values. That is especially true in this metropolitan area, where we now have a population of 2.5 million. It is estimated that by the year 2000, we will have 5 million people living here. The pressure on the price of land will be so great that this land will increase in value tremendously.

I believe that the estimate given by the distinguished Senator from North Carolina that the value of this land will increase by 5 percent or 10 percent a year is very pessimistic. I think the estimate of the Senator from North Carolina is very conservative.

Mr. PROXMIRE. Mr. President, even if the value of the land should increase at a more rapid rate, it is a good bet that

we will be taking money out of the private sector that is earning 12 percent. It seems to me that we could make a strong case that now, when we urgently need to keep our spending down and when the Senate of the United States acted by a strong vote to cut expenditures by \$6 billion this year, for us to turn around and spend \$1,250,000 for something that might benefit us as Senators with the notion that at some time in the future we might build a new Senate office building, is inconsistent, self-serving, and certainly would set a bad example.

Mr. FONG. The committee was not alone in arriving at the fact that this is an urgent matter. Seventy-two out of one hundred Senators say that more space is urgently needed. However, because of the stringent financial situation of the Government, we have not recommended that we build on the land at this time. However, two buildings on the land could be immediately turned into use by the Senators.

Mr. PROXMIER. That is a good argument, but if the situation is urgent in terms of providing more space now for Senators, that is a very strong argument for building a building. However, we are not going to build it, I am told, and I am sure that there are no plans to build the building in the next year or the year after or the year after.

Under these circumstances, when we are taking money out of the private sector, money that is more productive, I cannot understand why we should take that money out and put it into land on which we might build in the future, when the most authoritative estimate we can get is that we would save 5 or 10 percent a year by purchasing the land.

Mr. FONG. The committee really wants to build, but because of the financial situation of the Government, it has refrained from asking Congress to appropriate the money to build. However, because two good buildings are on this land, we feel that we could alleviate to a certain extent the pressure on Senators now and use these buildings for the Senators.

Mr. President, the senior Senator from Kentucky [Mr. COOPER], a member of the Committee on Public Works, is necessarily absent today. However, he had prepared a statement giving his views on S. 2484.

I ask unanimous consent that his statement be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR COOPER

The bill S. 2484, to authorize the extension of the additional Senate Office Building site, would authorize the Architect of the Capitol to acquire the land and buildings in Square 725 to the east of the New Senate Office Building, with the exception of Lot 885 on which the Belmont House now stands. It would also authorize the Architect of the Capitol, when directed by the Senate Office Building Commission, to provide for the demolition of structures on this property, and pending demolition either to use the buildings for Government purposes or to lease them. The amount of the appropriation authorized by the bill is \$1,250,000.

The purpose of the bill, as stated in the Committee report, is to have the necessary

site available at such time as the addition to the New Senate Office Building can be constructed and to reduce to the minimum the cost of the site.

The report states the view that "In the reasonably near future it will be mandatory to construct an addition to the New Senate Office Building." It states also that "In view of the present heavy financial commitments of the United States Government, this is not the appropriate time to initiate construction of this badly needed addition." It seems to me that this reasoning should be applied as well to the proposal to authorize the expenditure of more than \$1 million for the acquisition of the site for such an extension.

The Congress and the country are now faced with meeting the heavy expenses of the war in Vietnam. The President has proposed an income tax surcharge. While there may not be agreement on priorities, each of the fiscal 1968 appropriations bills that have come before the Congress, and nearly every proposal to authorize appropriations for the extension of old programs or the financing of new programs, has been considered with attention to the difficult fiscal situation and the size of the prospective deficit. I have voted for reductions in appropriations and in authorizations, and we know that further reductions, the postponement of some projects, and the deferral of other programs may be expected. For, if steps to reduce expenditures and control fiscal pressures are not taken, the heavy cost of inflation will be borne by all—and especially by retired persons and those having fixed and low incomes.

An extension of the New Senate Office Building may become necessary, and it is true that the cost of the site to be acquired may increase. But, it is my view that this is an expenditure which should be postponed—in the same way that other non-essential projects are being postponed.

When S. 2484 was before the Committee on Public Works, I was one of those who voted against recommending that the Senate authorize such an expenditure at this time, when the bill by a vote of 7-5 was ordered favorably reported. For the reasons I have given, I oppose the passage of S. 2484.

Mr. WILLIAMS of New Jersey. Mr. President, the bill on the floor today does not authorize the building of a new building, but merely the purchase of land for a new building. If and when we have a bill to provide for the building of a new Senate office building or an extension of the existing New Senate Office Building, then I intend to have more to say on this subject. However, I am concerned about a couple of problems which I believe are serious enough to merit attention even this far in the future.

There certainly is no question in anyone's mind who has taken a tour of my office or, from what I have seen, of any other Senate office, that the U.S. Senate is in sore, dire need of additional office space. In my office we have a minimum of five people to a room with the exception of my own office and the reception room. Even the reception room is divided in half and contains three secretaries in addition to the receptionist.

Even in view of this gross shortage of space, however, the space we have—particularly in the New Senate Office Building—I seriously believe is not utilized to the best degree. We have a gymnasium, for instance, in both buildings, for the sole, exclusive use of the Senators, and it is my understanding that this space in the new building is hardly used at all.

Now, certainly, the bare minimum that could be done with this space would be to open it up to our staff members to allow them to condition their bodies. A more practical solution, however, would be to convert this space into offices so that we do not have to use all the broom closets just to house our staff.

I would, therefore, strongly urge that in the design of the new building or extension, more emphasis be placed on space utilization and less on matching the colors of the marble.

Another serious problem, Mr. President, which needs viewing far in advance, is the problem of storage space. My office manager has lobbied me and anyone else who would listen to her, for some considerable period of time, about the inadequacies, the inconveniences, and the health problem involved with the dark, dusty, unventilated storage space in the attic and in the subbasement. I am told by her that storage at present is a time-consuming, time-wasting process for both the staff members of our offices and the employees of the service department.

Present storage space is dirty, hot, and without proper ventilation for employees having to work there for any length of time. It is far removed from the office and is inaccessible after 5 p.m.

The ideal solution to this problem would be to have a storage room with built-in storage shelves and facilities as a part of the suite of offices which each Senator occupies.

With these brief comments, Mr. President, I will take my seat, but again admonishing the planners to consider these problems.

AMENDMENT OF THE LAND AND WATER CONSERVATION FUND ACT

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk a motion, and ask that the clerk state it.

The PRESIDING OFFICER. The motion will be stated.

Mr. JORDAN of North Carolina. Mr. President, I ask unanimous consent—

Mr. WILLIAMS of Delaware. The Senator has a right to make his request, but I should like the motion to be stated first.

The motion offered by the Senator from Delaware [Mr. WILLIAMS] was read by the assistant legislative clerk, as follows:

I move to recommit S. 1401 to the Committee on Interior and Insular Affairs.

Mr. WILLIAMS of Delaware. Mr. President, I am aware of the unanimous-consent agreement to limit debate on the Ellender amendment on Monday, but I should like to have a vote on this motion first.

The pending business of the Senate at

the moment is the Land and Water Conservation Fund Act; is it not?

The PRESIDING OFFICER. The Senator is correct.

Mr. WILLIAMS of Delaware. And the motion which I sent to the desk is the pending business before the Senate now?

The PRESIDING OFFICER. The Senator is correct.

Mr. WILLIAMS of Delaware. I shall address myself very briefly to that motion. Then if the Senator from North Carolina wishes to discuss the other bill I shall be willing to yield the floor, but first I should like to make a few remarks as to my pending amendment.

The Land and Water Conservation Fund Act, reported by the committee and now before the Senate, would change the existing law in this manner: Under existing law this program will be funded at the rate of approximately \$100 million per year. Over the next 5 years this agency under existing law would automatically be funded with \$500 million. The Bureau of the Budget, unwisely in my opinion, recommended that this spending authority be doubled and that \$1 billion be provided over the next 5 years instead of \$500 million, which is the amount authorized under existing law.

At a time when we are talking about the necessity of raising taxes, at a time when we are talking about the necessity of curtailing expenses, and at a time when the Members of the House as well as many Members of the Senate are insisting that there be a cancellation of obligational authority which is presently outstanding—a point with which I agree—it does not make sense to double the obligational spending authority under this program.

Congress and the administration must establish some priorities in this country as to which programs should be increased and which can be decreased. As we increase item X we must at the same time decide whether or not we can decrease in another field. I do not believe that we can justify doubling the building of parks, golf courses, and recreational facilities, popular as those programs may be, at a time when we are faced with a \$28 billion deficit. Such action is not the proper approach to control spending. Certainly we should not double that authorization.

However, in reporting the bill the committee was not satisfied in just doubling the authorization. It took the recommendations of the Bureau of the Budget to double the \$500 million program of expenditure over the next 5 years and then added an extra \$200 million. They would authorize in this bill \$1.2 billion, which is \$200 million beyond the amount that the Bureau of the Budget thought should be spent. That is an increase of \$700 million above the existing law.

We just cannot afford it. I believe this bill should be recommitted and that the existing law should not be increased at this time. The present program should be permitted to continue and to operate for the next 5 years with no more money than it has been operating with in the

preceding 5 or 10 years. When we are talking about the necessity of curtailing many meritorious programs, it is not the time to start expanding or doubling them.

Mr. President, I desire a record vote on this motion, and I am sure it can be disposed of very quickly. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JORDAN of North Carolina. Mr. President, I did not understand what the Senator from Delaware had said.

Mr. WILLIAMS of Delaware. I am going to ask for the yeas and nays on the pending motion.

Mr. JORDAN of North Carolina. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Chair advises the Senator from North Carolina that a quorum call is in progress.

The assistant legislative clerk resumed the call of the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, with the understanding that the recess shall not go beyond 1:45 p.m.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Thereupon (at 1 o'clock and 16 minutes p.m.) the Senate took a recess subject to the call of the Chair.

At 1 o'clock and 38 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. INOUYE in the chair).

AMENDMENT OF THE AGRICULTURAL ACT OF 1956—REFERRAL TO COMMITTEE ON FOREIGN RELATIONS

Mr. MANSFIELD. Mr. President, at the request of the distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT], and with the approval of the distinguished chairman of the Committee on Agriculture and Forestry [Mr. ELLENDER] and the distinguished ranking minority member [Mr. AIKEN], I ask unanimous consent that Calendar No. 1051, S. 1975, a bill to amend section 202 of the Agricultural Act of 1956, be referred to the Committee on Foreign Relations for consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE U.S.S. "PUEBLO"

Mr. MANSFIELD. Mr. President, it is over 3 months since the *Pueblo* was taken into custody and the American crewmembers were imprisoned by North

Korea. Fifteen meetings have been held to date on this issue at Panmunjom. As spokesmen for the U.N. command in Korea, our military representatives have made demands for the release of the crew. The North Korean military representatives have countered with charges and demands of their own. Back and forth has gone the football of recrimination. All the while, the Americans who were aboard the *Pueblo* have remained in the custody of the North Koreans.

The *Pueblo* incident should not be permitted to recede from our attention. In a direct and immediate sense, there is a compelling and continuing responsibility to the crew members who are interned in North Korea. The return of these men—alive—ought to be, and is, the primary concern of this Government.

After all, it is no secret that the *Pueblo* was sent, on orders, into a position almost within sight of the North Korean coast. Those are misty waters where legal rights under international law skirt the shoals of obscure intelligence operations. The crew of the *Pueblo* was exposed to great risks in the name of this Government. Owing to them, therefore, is every effort which this Government can make, and is making, to secure their release—I repeat—their release alive.

As I see it, the problem with which we are faced is not so much to prove a legal point as to pry loose a crew. In dealing with the North Koreans, I would hope that the asseverations to sustain the former will not be made at the expense of the practicalities of the latter.

Insofar as legalities are concerned, may I say that from the information which has been made available in Washington and at the United Nations by Ambassador Goldberg, there is every reason to accept, and I do, the contention that the *Pueblo* was taken in international waters and, hence, not legally vulnerable to the seizure to which it was subjected. In this connection, we have, for example, the assurance of former Secretary of Defense Robert S. McNamara. In a joint interview with Secretary Rusk on the TV program "Meet the Press" on February 4, 1968, he stated that the commander of the *Pueblo* "had the strictest of instructions to stay in international waters" and further that "at the time of seizure, we are quite positive it—the *Pueblo*—was in international waters."

However, Mr. McNamara in the same interview added:

I think we cannot say beyond a shadow of a doubt at no time during its voyage it entered North Korean waters. . . . There was a period of radio silence appropriate to its mission from the period of roughly January 10 to January 21 (in other words for about ten days prior to its seizure) and it is in that period that we lack knowledge and we will not be able to obtain knowledge of that until the crew and the commander are released.

This observation suggests that there could be facts beyond those presently known to us. These facts, I believe, might conceivably place the incident in a context which would differ from our present understanding. In any event, some such contention apparently constitutes North

Korea's alleged justification for the seizure of the vessel. According to the North Koreans, moreover, it is a contention which is supported by crewmen of the ship, though, on the basis of correspondence which I have received and other Senators have received, I doubt that the validity of the alleged contention by crewmembers very seriously.

We do not, however, have to grope in the dark on this point. The unknowns in this issue are not beyond the knowing. To know all the relevant facts, moreover, it may not be necessary to await the release of the crew and commander, as was suggested by both former Secretary McNamara and Secretary Rusk. There might be a preliminary way to clarification which, in turn, could lead to a settlement of the issue.

It involves, I should think, the temporary suspending of the meetings at Panmunjom on the *Pueblo* matter. These meetings have been fruitless, in any event, insofar as gaining the release of the crew. The problem of the *Pueblo* is distinct from other questions of the maintenance of the military truce at the 38th parallel, which is the primary concern of the U.N. command-North Korean meetings at Panmunjom. In the first place, the issues of the *Pueblo* seizure involve only U.S. personnel, not U.N. personnel. Moreover, the crew of the *Pueblo*, apparently, was not engaged in or even based in Korea. Finally, the United Nations Organization in New York which has ultimate responsibility for the U.N. operation in Korea and, hence, for participation in the talks at Panmunjom, has been unwilling to consider the matter of the *Pueblo*.

In these circumstances, the negotiations concerning the seized vessel and the release of its crew might be more effectively conducted in other diplomatic channels, as they undoubtedly are, rather than through U.N.-Korean command spokesmen at Panmunjom. It seems to me that the negotiations ought to be handled by representatives who speak exclusively, in this instance, for the United States. Indeed, it would appear most desirable in this connection that North Korea be asked directly by this Nation to admit a special U.S. mission for the purpose of interviewing the interned crew members. In that fashion, it should be possible to determine to our satisfaction what may have transpired, during the days of radio silence, and any other relevant facts which have not heretofore been available. We would no longer be negotiating, so to speak, in the dark. We would have the complete understanding of the situation which, as the former Secretary of Defense has frankly acknowledged, we do not have now. This understanding would provide a basis for a full and unemotional evaluation of all contentions surrounding the *Pueblo* incident. From that, it is conceivable that there might come a peaceful resolution of this ill-fated episode.

If the release of the crewmen is the primary objective, and I know of no other of greater importance in the circumstances, this proposal to send a mission to North Korea will be made in all good faith. By the same token, if the North Koreans desire a rational settle-

ment of this issue, they will accept it in all good faith.

A settlement of that kind is in the interest of the Korean people and the people of the United States. The festering of the unresolved issue of the *Pueblo* can only lead to gathering complications. There is already a growing edginess along the truce line which has brought patrol clashes and casualties. The 38th parallel in Korea is becoming, once again, one of the world's most volatile frontiers. One would hope that the *Pueblo* incident, which is an incidental but, undoubtedly, a contributing factor, can be settled while there is still time.

Mr. President, I ask unanimous consent that certain remarks I made at the University of Maine on February 11, 1968, relative to the *Pueblo*, and also an editorial published in yesterday morning's Los Angeles Times, entitled "The U.S. Options in Korea," be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SPEECH OF SENATOR MIKE MANSFIELD, DEMOCRAT, OF MONTANA, AT THE UNIVERSITY OF MAINE CONVOCAATION, ORONO, MAINE, FEBRUARY 11, 1968.

My remarks, today, deal with Viet Nam. Before proceeding to them, however, I wish to refer to the USS *Pueblo* incident. When added to the Vietnamese conflict, it is illustrative of the hydra-headed character of military involvement on the mainland of Asia. War spreads readily on that continent; the difficulty lies in curbing it. I would emphasize, therefore, that while the urgency in Viet Nam is to bring one bloody conflict to a close, the imperative in Korea is to prevent the opening of another.

In the latter connection, it will help to bear in mind the essentials of the *Pueblo* affair. A U.S. vessel—that it was an electronic listener of some sort is not disputed—was in a position off the North Korean coast. What vital national need prompted the dispatch of this particular mission or why the vessel went undefended are not as yet, fully known.

All reports available to me in both the White House and the Foreign Relations Committee, indicate that the *Pueblo* was in international waters at the time it was taken. As of the moment, the *Pueblo* is now at anchor in Wonsan harbor and the 82 surviving crewmen who were aboard—one other has died—are interned in North Korea. That ineluctable fact is in no way altered by a sense of outrage or indignation.

The crew aboard the *Pueblo* was carrying out a dangerous assignment. The "why" and the "how" of the mission are moot at this point. What matters now is the obligation to those men. In our reactions to the *Pueblo* affair, lives must not become the pawns of either pride or petulance. Every effort to bring about their release must be made.

We will also do well to bear in mind that the one war in which we are engaged on the Asian mainland has become a source of immense grief. Any move which leads into a second Vietnamese-type conflict in Korea will compound the grief but hardly serve the interests of this nation.

In sum, what most matters at this point, it seems to me, is: (1) return of the 80-odd American crewmen alive—I repeat, alive—and; (2) prevention of a second war in Korea on the pattern of Viet Nam which could the more readily become World War III.

The firm restraint which President Johnson has exercised from the outset of the *Pueblo* affair has set a wise course for this nation. The question has been raised at the United Nations Security Council by Ambassador Arthur Goldberg. It has been pursued

at the Panmunjom truce site in discussions between our representatives and those of North Korea. Other channels are also being tapped which might lead to the release of the crewmen. In short, the President's policy at this time is to seek a solution by diplomacy. It is the course of prudence and reason in what is, at best, a delicate and dangerous situation. It deserves every support of the nation.

There is no certainty that the present efforts will bear fruit. Other possibilities, however, may also be available. I would point out, for example, that, if necessary, the matter should be pressed further at the United Nations which has had a definite responsibility in Korea for almost two decades. If it comes to that, it may be feasible to seek impartial arbitration or mediation or a presentation of the entire matter to the World Court. May I say that precedent for the latter procedure is to be found in a similar dispute two decades ago over the loss of two British destroyers off the Albanian Coast.

Whatever the specific recourse, in my judgment, the efforts to find a peaceful solution in the *Pueblo* affair are attuned to this nation's interest. What matters in my judgment is saving lives, not saving face. What matters is the substance not the shadow of this nation's interests. * * *

[From the Los Angeles Times, Apr. 25, 1968]

THE U.S. OPTIONS IN KOREA

The continuing series of ambushes staged by the Communists within and below the Korean demilitarized zone has taken a steady toll of American and South Korean lives, fed tensions between Seoul and Washington, and left the North Koreans, who contemptuously refuse to acknowledge any participation in the bloodletting, virtually unmarked.

The incidents, in short, have served the purposes for which they have been mounted. And they have demonstrated again the impotence of U.S. power in the face of relatively low-level but still flagrant acts of aggression by a minor state.

Pyongyang has had a number of clear motives in its escalated efforts directed southward since the beginning of the year:

It has kept alive the threat of a second-front war in Asia;

It has created divisions between South Koreans, who want to react in kind, and the United States, which feels it must pursue a much more cautious policy;

It has embarrassed the strongest military power in the world; and

It has raised doubts about security in South Korea.

For the United States the greatest inhibition on the kind of retaliatory action that would best reassure the South Koreans and possibly most dissuade the Communists has been the confinement in North Korea for the last three months of the 82-man crew of the captured USS *Pueblo*.

U.S. efforts have been directed, with absolutely no success, toward obtaining freedom of the crew through political talks. The Communists have been demanding a full apology for the alleged intrusion by the *Pueblo* into their territorial waters, which would be an admission of the rightness of their case. Meanwhile, they have been shamelessly and brutally exploiting the plight of the captives for the most callous propaganda purposes.

The options available to the United States are few.

This country can do what it has been doing, i.e., try to negotiate the crew's release, at the same time tolerating without retaliation Communist marauding along the DMZ.

It can meet the North Korean demand and apologize, hoping to get the crew back and thus remove Pyongyang's strongest weapon against retaliatory action for the border ambushes. But there is no guarantee that even an abject apology would win freedom for the men.

Or it could respond to the border killings by taking severe steps of its own, in conjunction with the South Koreans. Such actions could, however, doom the Pueblo's crew.

None of these options is attractive. But neither is the probability of continuing attacks on U.S. and South Korean troops along the DMZ by a regime which feels immune from any punitive response so long as it holds 82 Americans hostage. Those lives are important to this country. But so, too, is freedom of action to respond adequately to North Korean viciousness. Washington may soon have to make the hard choice.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, what is the parliamentary situation at this time?

The PRESIDING OFFICER (Mr. INOUYE in the chair). The pending question is on the motion of the Senator from Delaware [Mr. WILLIAMS] to recommit S. 1401.

Mr. MANSFIELD. Is my understanding correct that on the basis of a unanimous-consent agreement arrived at yesterday, when the Senate completes its business today, it will stand in adjournment until 10 o'clock Monday morning next?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. And that, at the conclusion of the prayer and disposition of the Journal on Monday, the distinguished Senator from Massachusetts [Mr. BROOKE] will be recognized for not more than 2 hours?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. That following the remarks of the distinguished Senator from Massachusetts [Mr. BROOKE], there will be a period for the transaction of routine morning business?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. That following the morning business, there will be a 2-hour limitation on the pending Ellender amendment?

The PRESIDING OFFICER. That is correct.

Mr. MANSFIELD. And that at the conclusion of those 2 hours, there will be a yeas-and-nays vote?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. MANSFIELD. If requested?

The PRESIDING OFFICER. That is correct.

Mr. MANSFIELD. And that, following the disposition of the Ellender amendment, the Williams motion to recommit S. 1401 will become the pending motion?

The PRESIDING OFFICER. The first question will be on the motion to recommit made by the Senator from Delaware.

Mr. MANSFIELD. But it will be the pending business after the Ellender amendment is disposed of?

The PRESIDING OFFICER. The motion to recommit will be taken up immediately after the debate on the Ellender amendment, and after the vote on the motion to recommit, if it fails, the question will recur on the Ellender amendment.

Mr. MANSFIELD. Then, to recapitulate, when the Senate adjourns today, it will adjourn until 10 o'clock Monday morning next?

The PRESIDING OFFICER. That is correct.

Mr. MANSFIELD. The distinguished Senator from Massachusetts [Mr. BROOKE] will be recognized for up to 2 hours?

The PRESIDING OFFICER. That is correct.

Mr. MANSFIELD. There will be a period for the transaction of routine

morning business, and at the conclusion of the period for morning business, the Ellender amendment will be laid before the Senate, and there will be 2 hours of debate?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. And, before a vote takes place on the Ellender amendment, a vote will occur on the Williams motion to recommit S. 1401?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. Mr. President, it is the intention of the leadership, following the disposal of S. 1401, to take up the safe streets and omnibus crime bill. The consideration of that measure is a little delayed. However, I want the Senate to be on notice, and especially those Senators who have asked to be notified, that it is the intention of the leadership to follow the disposal of S. 1401 with the safe streets and omnibus crime bill.

ADJOURNMENT UNTIL MONDAY AT 10 A.M.

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move that the Senate, under the order of April 25, 1968, stand in adjournment until 10 o'clock Monday morning next.

The motion was agreed to; and (at 1 o'clock and 50 minutes p.m.) the Senate adjourned until Monday, April 29, 1968, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate April 26, 1968:

DEPARTMENT OF THE INTERIOR

Edward Weinburg, of Maryland, to be Solicitor of the Department of the Interior.

EXTENSIONS OF REMARKS

Mennonites Speak Out on Vietnam

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Friday, April 26, 1968

Mr. HARTKE. Mr. President, recently I met with a Mennonite delegation from my home State of Indiana. They provided me with a copy of their statement of concern regarding Vietnam, which delegates of the Central District Conference of Mennonite Churches have brought to the attention of a number of Members of Congress.

I ask unanimous consent that the statement be printed in the Extensions of Remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

VIETNAM: STATEMENT OF CONCERN

To our representatives in Congress: We, the delegates of the Central District Conference, representing Mennonite churches in eastern Iowa, Illinois, northern Indiana, Ohio and Michigan, feel compelled to share

with you our concern about our national priorities.

I. We are disturbed by what our Christian brothers, working in Vietnam, have told us in some of their recent letters. One of these letters comes from Mennonite workers who have been engaged in church and service programs in the Saigon area since 1957. It emphasizes three points:

A. The majority of the South Vietnamese do not see this struggle as one in which the U.S. is supporting a free people in their fight against communist aggression. Instead they see our presence as one of maintaining aristocratic and western interests, in operation to a spirit of national identity.

B. The war aims of the U.S. are self-defeating. Our primary reliance on military force is destroying their life, property and social order; thereby alienating the people whose loyalty we seek to win.

C. The spending of billions for a military campaign in Vietnam shows the world that America is more concerned about ideology than about people's welfare. Our priorities are out of tune with the needs of the world.

Vietnam Christian Service, the Protestant Relief Agency in South Vietnam, administered by the Mennonite Central Committee, of Akron, Pennsylvania, has given us a very similar interpretation.

II. We feel that there is a growing sense of

alienation among our nation's youth, not only toward the Vietnam war in which they are expected to fight, but toward the democratic process itself. This alienation is expressed in lawlessness and violence on the streets, and can only be corrected if governmental leaders become sensitive once more to today's youth and their concerns.

III. We feel that there is a very visible breakdown of the democratic process within our urban areas. It is not only youth that feel alienated, but people in our ghettos as well. Here again, there is an attitude that threatens the very basis of our form of government. We feel that action must be taken now on our urban problems. And attention cannot be given to such matters when our nation's resources are sapped by a distant war.

In the light of the above concerns, we feel that our government must change its policy in Vietnam, and re-order its priorities. The feelings of alienation referred to above lend increased urgency to such an appeal. So we call on you, our duly elected representatives, to do what you can to bring this policy change about. It is our belief that the legislative, as well as the executive, branch of government has sufficient resources at its disposal so that, when there is a will to change there will also be skills to find the way. This is our prayer for you.